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CORPORATE SOCIAL RESPONSIBILITY IN MULTINATIONAL OIL
COMPANIES AND THE IMPACT ON SUSTAINABLE DEVELOPMENT IN
THE NIGER DELTA

VOLUME I OF II

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Corporate social responsibility in multinational oil companies and the impact on
sustainable development in the Niger Delta

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Corporate Social Responsibility in Multinational Oil Companies and the Impact on Sustainable Development in the Niger Delta

ABSTRACT

This study investigates the corporate social responsibility (CSR) exercised by the multinational oil companies (MNOCs) operating in the Niger Delta, and its impact on sustainable development (SD) in this important region of Nigeria. Particular focus is given to sustainable improvement in well-being and enhancement of socio-economic development for the local communities.

To investigate these, archival from newspapers, magazines documents on CSR in Niger Delta from NGOs, documents from oil company's websites and interview data from forty participants from the local communities, stakeholders and senior managers from the MNOCs were obtained. The MNOCs' CSR and SD policies and practices were also inspected from the company's website and photographs of the local environment around the MNOCs extraction suites and plant were also collected. These data were then analysed using: photo voice, document analysis, constructivist grounded theory, website-based content analysis, and covert participant observation.

The study identified discrepancies between the MNOCs declared online CSR and SD policies and practices and those in operation in the Niger Delta region. Our findings also show that local communities are marginalised.

To address this, it is argued that Ruggie's frameworks, Sen's capability approach for a full life, and Bowen's list of social goals should be used as guiding principles by the MNOCs in the Niger Delta region.

The study offers theoretical, empirical and methodological contributions to the studies of business ethics, international management and international business by offering new insights into CSR and SD.

Keywords: Corporate social responsibility, sustainable development, oil idustry, Nigeria.

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Dedication

To my mother Hajiya Hajara Ndajiya, late father, Alhaji Ndajiya, late brothers and sisters, wife, Hajiya Habiba Abdullahi and children, Abba, Isah and Saratu.

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List of abbreviations

ACHIR African Charter on Human and Individual Rights

AEI American Enterprise Institute

AHRC Australian Human Rights Commission

AI Amnesty International

BCSR Business Council for Social Responsibility

BLF Business Leaders Forum

CA Capability approach

CNL Chevron Nigeria Limited

CPNC Conoco Philips Nigeria Limited

CSR Corporate social responsibility

DE Development ethics

DJSI Dow Jones Sustainability Index

EC European Commission

ECA Economic Commission for Africa

ECCR Ecumenical Council for Corporate Responsibility

EEC European Economic Commission

GMoU Global Memorandum of Understanding

GS Governance for sustainability

HRW Human Rights Watch

ICC International Chamber of Commerce

ICJ International Commission of Jurists

IFC International Finance Corporation

ILO International Labour Organisation

IMF International Monetary Fund

IOE International Organisation of Employees

IT Instrumental Theory

LT Leadership theory

MNC Multinational company

MNDA Ministry of Niger Delta Affairs

MNOC Multinational oil company

MOSOP Movement for Survival of the Ogoni People

MPNL Mobil Producing Nigeria Limited

NDDC Niger Delta Development Commission

NEPAD New Partnership for African Development

NGO Non-governmental organisation

NNF New Nigeria Foundation

NOSDRA National Oil Spill Detection and Response Agency

NRE New Regulation for Enterprise

NT Narrative theory

OECD Organisation for Economic Cooperation and Development

OLTPSD Orientation for Territorial Planning and Sustainable Development

RBT Resource-based theory

SC Sustainable community

SD Sustainable development

SEG Sustainable economic growth

SG Sustainable governance

SHT Stakeholder theory

SL Sogenal Limited

SM Strategic management

SPDC Shell Petroleum Development Company

TNC Transnational company

UN United Nations

UNCTAD United Nations Conference on Trade and Development

UNDP United Nations Development Programme

UNGC United Nations Global Compact

UNHCHR United Nations High Commission for Human Rights

US United States

WBCSD World Business Council for Sustainable Development

WCED World Commission for Environment and Development

WRM World Rainforest Movement

1 CHAPTER ONE: INTRODUCTION

1.1 Background

Nigeria is naturally endowed with abundant mineral resources including oil and gas. Oil and gas have been the mainstay of Nigeria's economy since the postcolonial era. Nigeria is the largest oil producer in Africa and eleventh in the world (Country Analysis Brief, 2011). However, oil and gas exploration and exploitation activities in Nigeria are carried out in the Niger Delta region by multinational oil companies (MNOCs). The Niger Delta is Africa's largest delta, measuring about 70,000 km² (World Bank Report, 1995:2), and is located within the Ibo Plateau and the Cross River valley (Willink Commission Report, 1958:34) in the South-South geopolitical zone of Nigeria.

The Niger Delta region is characterised by practical issues and challenges such as abject poverty (Ross, 2003), political and economic crisis (Aunty, 2001), existence of highly prevalent practices of corruption within the communities (Sachs & Warner, 1999; Leite and Wedeman, 1999; Gylfason, 2001), slow economic growth (Sachs & Warner, 1997, 2001; Manzano and Rigobon, 2001), risks of war as a result of conflicts between the communities, which have created tensions both within and outside the communities (Collier and Hoeffler, 1998, 2001; Fearon and Laitin, 2003), and underdevelopment (Yates, 1999).

Other challenges in the Niger Delta include environmental damage and degradation, destruction of flora, fauna and mangrove swamps, deforestation, oil spills and pollution of water, land and air, gas flaring, human rights abuses, high cost of living, fall in living standards, poor roads, poor education, poor electricity supply, poor health and medical facilities, militancy, kidnapping of oil company's expatriates, oil bunkering, and destruction of oil pipes and oil installations.

Because of the above, the developments have become a subject of national and international discourse and have led to an outcry and growing concern in the public domain about the contribution of corporate social responsibility (CSR) in the Niger Delta. The fundamental aspect of the debate itches on gas flares, oil spillages and environmental degradation caused by the activities of MNOCs. Siamese discussion of CSR and sustainable development (SD) is very limited. Against this backdrop, this study takes a critical approach to contribute to the literature and to examine CSR in MNOCs and the impact on SD in the Niger Delta.

1.2 Objectives of the study

The overall aim of the project is to investigate the corporate social responsibility and sustainable development practices and policies being pursued by the multinational oil companies currently operating in the Niger Delta region in Nigeria. It is designed to produce a taxonomy and to identify the impact and benefits of these for the local communities. These benefits will be viewed from a broad stakeholder perspective including that of the local residents, local businesses, and the Nigerian government. The extent to which the environment will be negatively impacted by these policies and practices and their operations, and plans to redress this, will also be explored. How these operations comply with human rights directives will also be investigated.

The primary objectives of the research are to:

1. Obtain detailed descriptions of the corporate social responsibility and sustainable development policies and practices being followed by the various multinational oil companies operating in the Niger Delta region.
2. Identify and obtain justifications from the oil companies operating in the Niger Delta for differences in their corporate social responsibility and sustainable

development policies and practices from those being employed in their operations elsewhere, worldwide.

3. Evaluate the impact and benefits associated with the implementation of the corporate social responsibility and sustainable development policies and practices by the oil companies on the local community and environment.
4. Investigate and evaluate the adequacy, comprehensiveness and sustainability of the benefits derived from the oil companies' corporate social responsibility and sustainable development policies and practices.
5. Identify what impact the operations of the oil companies in the Niger Delta region are having on the ecology of the environment.
6. Evaluate the overall impact of the oil companies' operations on work and community life in the Niger Delta region.
7. Establish the level of dialogue between the oil companies and local communities regarding activities that are taking place and the impact on the local communities.

Secondary objectives:

1. To investigate whether current operational practices used by the multinational oil companies operating in the Niger Delta region and their sustainability policies comply with United Nations (UN) human rights directives as specified in the Ruggie (2010, 2011) reports.
2. To establish whether the corporate social responsibility and sustainable development practices and policies in operation in the Niger Delta by the multinational oil companies comply with the UN's human rights directives.

3. To examine the role of the UN in promoting operational practices that do not negatively impact human rights or sustainable development in the Niger Delta region.

The preceding research objectives led to sets of research questions for the oil companies' executives and the oil companies' external stakeholders as follows:

For the oil companies' executives, the questions centre on operation of their corporate social responsibility and sustainable development policies and practices in the Niger Delta region, how this relates to their standard corporate social responsibility and sustainable development policies, and how these are operationalised for their businesses in different geographic regions. The following three research questions were addressed:

- (a) What are the relevant corporate social responsibility and sustainable development practices and procedures for your company that are relevant for your operations in the Niger Delta?
- (b) How are the corporate social responsibility and sustainable development practices and procedures for your operations interpreted and enacted in your Niger Delta operations?
- (c) Do your corporate social responsibility and sustainable development practices and procedures differ from those used by your company in other countries?

For the oil companies' external stakeholders (i.e., those with an active interest in company activities and the impact of these on specific local and national groups), the research questions addressed the following:

1. What impact do the operations of the oil companies in the Niger Delta region have on the ecology of the local environment?

2. What is the overall impact of oil company operations on employment and employment patterns in the Niger Delta region?
3. What is the overall impact of oil company operations on community life in the Niger Delta region?
4. Are the oil companies investing in sustainable infrastructure that benefits the local communities?
5. Are oil companies contributing to the improvement of the long-term well-being and quality of life of communities (e.g., education, health)?
6. Do the oil companies engage in dialogue with local communities regarding activities that are taking place and / or impact local communities? If so, how?

1.3 Research methodology

The methodology is broadly interpretivist and I explored qualitative methods to provide answers to the research questions (Deegan & Gordon, 1996; Zeghal and Ahmed, 1990). The qualitative research designed for this study utilised a single case study. The aim of the study is to delineate the corporate social responsibility (CSR) and sustainable development (SD) practices and policies being pursued by the multinational oil companies currently operating in the Niger Delta region of Nigeria. It is designed to produce a taxonomy and to identify the impact and benefits of these for the local communities. However, Lockett et al. (2006) surmised that 80% of empirical studies on CSR and SD in developing countries are dominated by quantitative methods. For this reason, Cassell and Symon (1994) echoed the need for accelerated focus and use of qualitative methods in CSR and SD. However, my main reason for the utilisation of qualitative methods stems from the fact that it provides the opportunity for in-depth comprehension of human and organisational phenomena in CSR and SD in the Niger

Delta (Alvesson and Skoldberg, 1999; Denzin and Lincoln, 1994;2, 2000; Prasad and Prasad, 2002).

A manageable sample size of 40, made up of senior managers of oil companies and stakeholders, is established due to the qualitative nature of the study and to access detailed, rich and nuanced data from participants from a larger group. Similarly, the small sample meets academic, pragmatic and analysis purposes. In addition, the qualitative data for this research emerged from semi-structured interviews which was supported by or complemented with archival documents and secondary data sources similarly explored by numerous studies and suggested by the theory of triangulation (Denzin, 1970) in any qualitative research study.

The methods employed include, first, access to and analysis of publically available archival documents. Secondly, interviews with oil company executives and government and local stakeholders were conducted. They were asked different sets of open questions. Third was the use of covert participant observation (Analoui & Kakabadse, 1992) to observe some welfare services offered to the oil- and gas-producing communities (local communities) by stakeholders such as oil companies and the government, and those by the communities themselves. Fourth, photovoice was explored, using photographs and description of photographs to examine the life experience of local communities in the Niger Delta (Walsh, Rutherford & Kuzmak, 2009).

1.4 Contributions of the study

The first contribution of this research is that it sheds more light on CSR in MNOCs and its impact on SD in the Niger Delta. There are limited empirical research studies on CSR and SD in developing countries, especially in the Niger Delta. This is because several publications, both articles and working papers, have revealed more of CSR and SD literatures and practices in developed countries than in developing countries

(Carroll, 1991) with wide gaps and very limited empirical research on CSR and SD in the Niger Delta (Visser, 2005, 2007; Thomsen, 2004; Lockett et al., 2006; Frynas, 2006; Pederson and Huniche, 2006; Amaeshi, 2006). This study is therefore designed as a platform to minimise the massive gap in research on CSR and SD in the Niger Delta.

The study explored shareholder theory (Friedman, 1970) and stakeholder theory (Freeman, 1984) to develop understanding of history on business warfare of the RNC against indigenes of Niger, Benue, Oil Rivers and Hausa States and the foundation of corporate social irresponsibility in Nigeria (Ndajiya, 2014). Even though the work of Friedman (1970) and Freeman (1984) has been heavily used by previous studies (Ibrahim, 2008) on CSR and SD in the Niger Delta, Sen's (1985) capability approach (CA) is yet to be extensively explored to consider CSR in MNOCs and the impact on SD in the Niger Delta. In the light of the above, this study progresses beyond the shareholder and stakeholder theories of Friedman (1970) and Freeman (1984) to utilise Sen's (1985:10) CA to provide better understanding and delineation of CSR in MNOCs and the impact on SD in the Niger Delta. These were achieved through the use of functioning, capability, functioning n-triple, and capability sets to depict what people are able to do, and be, and their overall well-being in local communities, which are the main key concerns of CSR and SD.

Marginalisation of local communities has never received any attention in literature. Previous and recent studies on CSR and SD in the Niger Delta (Cornelius et al., 2007; Collins, 2008; Ibrahim, 2008; Ibaba, 2008; Idemudia, 2009; Aaron, 2012; Adewuyi and Oyedeji, 2012; Pegg, 2012; Annegan and Ololade, 2013; Umobong and Micah, 2013; Andabai and Basuo, 2013; Jhartial, et al., 2014; Idemudia, 2014) that focused on business ethics (BE) and corporate governance (CG) emphasised payment of compensation, environmental degradation and corporate–community relations. This study succinctly examined marginalisation, brutality and intimidation and voice and

agency in order to find out how CSR and SD policies and practices of oil companies addressed these challenges in the Niger Delta. Gramsci (1891–1937) argued that previous research neglected hegemony, thereby excluding the poor and social groups from political participation and the opportunity to have a say in their society, Hence the need to analyse these existing CSR and SD challenges in the Niger Delta and examine the real results of these challenges. These were achieved through the utilisation of postcolonial theory (subaltern theory). Subaltern theory is basically a historical field that has existed for more than thirty years (Guha, 1982). Subaltern theory has never been explored to examine any issues in business ethics (BE), international management (IM) and international business (IB) especially on CSR of MNOCs and its impact on SD in the Niger Delta. This of course, is a methodological contribution of this research neglected by previous studies. The methodological contribution, therefore, is intended to be extended beyond this study to the field of BE, IM and IB at large.

Photovoice evidence (Wang, Cash and Powers, 2000) is another methodological contribution of this study to develop understanding of sustainable community development challenges and how these have been perpetrated by oil companies operating in local communities of the Niger Delta. This study critically analysed the impact of oil companies' operations on ecology of the local environment using photovoice as a tool of communication for local communities to air their plight to policymakers and those at the helm of affairs in the Niger Delta. Previous studies on CSR and SD in the Niger Delta were bent on expressing the impact of oil companies' CSR and SD in this direction.

The study has contributed to understanding of how Ruggie's (2010/2011) framework of the principle of state duty to protect against human rights abuse by third parties including business, the principle of corporate responsibility to respect human rights, avoid harm, comply with laws and existing social expectations to gain the licence to

operate, and the need for more effective access to remedies for victims of human rights abuses involving companies are complied with by both the oil companies and Nigerian government. There is extensive literature on the subject by the UN, and UNCTAD aims to minimise exploitation by business and MNCs in its areas of operations, but only one empirical study has been carried out in Canada. No empirical investigation has been carried out on this framework in any developing countries, and particularly not in the Niger Delta. This study, therefore, has made a contribution to BE, IM and IB to enable MNOCs to improve on their CSR to minimise their negative impact on SD in the Niger Delta, especially in local communities where they embark on oil exploration and exploitation.

Finally, the study has contributed to awareness of issues of voice and agency in negotiation by local chiefs with oil companies on behalf of local communities, and how this could assist the communities to address their plight in future. The study has contributed to knowledge through the use of website content analysis to unravel the CSR and SD policies and practices of oil companies in the Niger Delta, thereby revealing the numerous challenges that remained unaddressed by oil companies, which results in disputation of the effectiveness of CSR and SD in the Niger Delta. The study has provided relevant recommendations to various stakeholders in oil and gas including the Nigerian government, MNOCs and local communities on how to maintain peaceful coexistence among them, enhance CSR and minimise negative impact on SD and improve the well-being of the local communities in the Niger Delta. The findings of this study will provide key information on MNOCs' evaluation of existing CSR and its impact on SD in the Niger Delta. Knowledge from the findings would also assist policymakers to improve public policy on CSR and SD in the Niger Delta.

1.5 Structure of the thesis

Chapter two presents a critical review of the literature on evolution and concepts of CSR. The chapter reviews the theoretical frameworks of the study, consisting of Sen's capability approaches (CA). The literature review also focuses on CSR in non-western countries which provides the basis for discussion of CSR in developed economies, and CSR and human rights of MNOs in developing economies.

Chapter three provides a review of literature in the Nigerian context and MNOs' governance and sustainability in the Niger Delta with the fundamental objectives of providing background information about Nigeria, the awareness of citizens to recognise the rights and duties in local communities and the platform for identification of major reasons which underpin CSR and SD in the Niger Delta as well as challenges to CSR and SD of oil companies in the Niger Delta. The chapter further reviews the history of business warfare by the Royal Niger Company (RNC) against the indigenes of Niger, Benue, Oil Rivers and Hausa States and the foundation of corporate social irresponsibility (CSI) in Nigeria, an overview and general description of the Federal Republic of Nigeria, and MNOs' governance and sustainability in the Niger Delta.

Chapter four succinctly stresses the methodology of the study which commences with a philosophical paradigm consisting of the epistemological and ontological position of the research; this is followed by the social construction of CSR, the research tradition of the interpretivist approach and modification of construction on grounded theory focusing on the subaltern (postcolonial theory). The chapter also accounts for the research method and research design and their justifications. Subsequently, the chapter progresses to highlight the sources of data, such as interviews, archival data, websites, observation and photovoice, and a combination of them all (triangulation); then, data analysis and fieldwork reports, research validity and reliability, ethical considerations and methodological limitations are considered.

Chapter five provides the description of the researcher's visits to Edo State in Nigeria for the study fieldwork. It commenced with a visit to Benin City. It was thereafter followed by visits to oil- and gas-producing communities, the riverine oil- and gas-producing communities (Ajoki and Ajamimogha), and four oil and gas flow stations and oil wells.

Chapter six presents results for research questions 1, 2, 3, 4, 5 and 6. The findings from archival documents, oil companies' online CSR / SD policies and practices in the Niger Delta, interviews and photovoice records on sustainable community development are examined.

Chapter seven provides the discussions of the findings on research questions 1 to 6 including sustainable community development results, followed by contributions of the study, limitations of the study and recommendations for future research. Finally, the chapter provides recommendations for the Nigerian government, the MNOCs operating in the Niger Delta and local communities in the Niger Delta.

2 CHAPTER TWO: LITERATURE REVIEW

2.1 Introduction

This chapter begins with a review of the evolution and concepts of CSR. Section two discusses the theoretical frameworks of the study consisting of Sen's CA. Section three focuses on CSR in non-western countries. Section four discusses CSR in developed economies and section five explores CSR and human rights of MNOCs in developing economies.

2.2 Evolution and concept of corporate social responsibility

This section presents the evolution and the concepts of CSR including the implications of CSR from Bowen's (1953) perspective. Further, it look at the debate on social responsibility (SR) made up of stakeholder and shareholder theories.

2.2.1 Evolution of corporate social responsibility

The history of CSR dates back to the 20th century. The early literature on CSR commenced with SR while the literature on social responsibility practices began to take shape during the 1930s and 1940s, including Bernard's (1938) *The Function of the Executive* and Clerk's (1939) *Social Control of Business*. In 1940 Krep published *Measurement of the Social Performance of Business*. Afterwards, Bowen (1953) discovered that business strength affected the existence of people and this led to his thoughts on what precisely could be the responsibilities of business people to society.

In 1953 Bowen published *The Social Responsibilities of Businessmen*. The proliferation, continuous recognition and implementation of SR practices by businesses and companies had led to the discussion of theory and practices of CSR by Heald during the first half of the century, which resulted in more publications on the concept by scholars, for example Selekman's (1959) *Moral Philosophy for Management*, Eells' (1959) *Corporate Giving in a Free Society*, Davis (1960) *Can business afford to ignore social*

responsibility?, McGuire's (1963) *Business and Society* and Davis and Blomstrom's (1966) *Business and its Environment*. There was a debate about the theory and practices of SR by individuals and corporations, and that motivated Walton to coin the term 'corporate'.

In 1967, Walton produced the first publication that used a term in which 'corporate' was a qualifying adjective, which he called CSR. His pronouncement and use of the term 'corporate', in addition to SR, marked the beginning of CSR. Other supporters of CSR in that period include Johnson (1971), Steiner (1971) and the Committee for Economic Development (1971). The Committee for Economic Development proceeded to publish *Social Responsibilities of the Business Corporation* and included CSR models from three perspectives. But the pressing challenge at that time was the lack of a precise definition of CSR, and it was in this regard that the American Enterprise Institute responded.

In 1972, the American Enterprise Institute sponsored two professors (Manne & Wallich, 1972) to write a book title *Modern Corporation and Social Responsibility*. In 1973, Davies presented the argument for and against the concept of CSR, citing Friedman (1962) and Samuelson (1971) as 'disbelievers' of the concept. Yet there was a need for clarification of the CSR definition at that time; and, on these grounds, New York University reacted positively.

In 1975, New York University invited a professor (Backman, 1975) to clarify the CSR definition. Others concerned with the subject matter included Sethi (1975), Preston and Post (1975) and Ackerman and Bauer (1976). In 1976, CSR was concerned with addressing the social and environmental ills of society, presentation to the public domain of CSR disclosures, the conceptualisation of empirical and theoretical frameworks, refining the definition of CSR, and offering alternative concepts for defending CSR across all facets (Fitch, 1976; Carroll, 1979; Zenisek, 1979).

In 1980, CSR literature was tagged with the concept of corporate social responsiveness. One of those who subscribed to the idea was Jones (1980). Tuzzolino and Armandi (1981) developed a framework for CSR operation and other contributors included Dalton and Cosier (1982), Carroll (1983) and Straud (1983). However, there was a clarion call by Drucker (1984) for compatibility of profits and conversion of social responsibilities to strengths for business.

In 1984, Cohran and Wood called for operationalisation of CSR. In 1985, Aupperle, Carroll and Hartfield operationalised CSR and the profitability concept while Aupperle (1985) operationalised the four-part component by Carroll. In 1990, CSR expanded and explored the concept of corporate social performance (CSP), stakeholders, business ethics and corporate citizenship (Carroll, 1991; Wood, 1991; Swanson, 1995).

2.2.2 The concepts of corporate social responsibility

The United Nations (2000) set out a global international initiative to promote CSR through private, public, and other social actor engagements; it had ten principles with key values in the areas of human rights, labour standards, the environment and anti-corruption to out-weigh global challenges in their operations.

Human rights principles demand from corporations support, respect and protection for internationally proclaimed human rights; the absolute avoidance of human rights abuses; the upholding of freedom of association and the effective recognition of the right to collective bargaining; the elimination of forced and compulsory labour; the effective abolition of child labour; and the elimination of discrimination in employment and occupation.

Environmental principles demand business support for precautionary environmental challenges; initiatives to promote greater environmental responsibility; and facilitation of the development and diffusion of environmentally friendly technologies.

Anti-corruption principles demands that corporations avoid corruption, including extortion and bribery.

The World Business Council for Sustainable Development (2001:9) defined CSR as a continuing commitment by business to behave ethically and contribute to economic development while improving the quality of life of the workforce and their families as well as the local community and society at large.

The European Commission (2001:416) combined various definitions into one comprehensive principle:

‘a concept whereby companies decide voluntarily to contribute to a better society and a cleaner environment. It is a concept whereby companies integrate social and environmental concern in their business operations and in their interaction with stakeholders on a voluntary basis’.

The above definitions by the EC implies that to be socially responsible does not just mean the ability of companies to carry out their legal obligations, but rather to move far beyond that, towards contributing ‘more’ on human capital and the environment, and to maintaining cordial relationships with stakeholders.

However, the EC confirmed CSR as a weapon for competition and expansion. The EC (2001:264) set out rules and regulations to promote the CSR process as *a voluntary adhesion to a set of management practices to make the most of existing experiences, to encourage development of society in general, and of the internal dimension of the company*. The EC stated that all citizens that are involved in or related in some way to the organisation’s affairs are defined as stakeholders. In a bid to promote and encourage CSR, a process was set up to establish the principle that social and environmental issues are implicitly inclusive in CSR, and CSR must be embedded into business strategies and operations. According to the EC, CSR should be considered a voluntary concept, and most importantly CSR is concerned with how organisations interact with their internal

and external stakeholders (employees, customers, neighbours, non-governmental organisations, and public authorities).

Further, the EC (2001) focused more on the following areas as priorities in CSR:

- Enterprise ethics
- Social and environmental loyalty
- Corporate citizenship
- Sustainable development.

2.2.3 Debate on corporate social responsibility

While CSR policies have been growing in number and value for some years now, CSR means different things to different organisations and its disclosure depends on how they approach their CSR reporting. For instance, some multinational corporations view social factors such as stakeholder relationship management, health and safety, human rights, labour standards and bribery and corruption as predominant, while other industries view environmental factors such as climate change, air pollution, water pollution and land pollution as the key issues. To further the debate on CSR, it is pertinent to note that not all business organisations behave in a socially responsible manner, and some people would argue that it is not the responsibility of corporations to be concerned with social issues and challenges. However, there are two major theories in respect of this contentious CSR debate.

First, the stockholder view by Friedman (1970) is that the job of the corporation is to create wealth with the interest of shareholders as the guiding principle. This implies that the role of business is to create wealth by providing goods and services efficiently and effectively in order to earn some return on investments for shareholders. He contended that the corporation should increase the stock value for its shareholders. And, for the corporation to produce effectively and efficiently in order to realise the dreams,

inspiration and profitability of the shareholders, it has to involve society in the production processes by way of employing personnel. However, the theory argues that the main reason behind societal involvement is just to get the job done and not to provide employment as a form of social and philanthropic responsibility; instead, there is one and only one responsibility of business, which, according to him, is for business to use its resources and engage in activities designed to increase its profit, so long as it remains in conformance to the basic rules of society.

Second is, the stakeholder theory by Freeman (1984), which was a diplomatic attack on Friedman's (1970) stockholder view, arguing that the corporation should consider those with stakes in it who are affected by its operations or decisions, and not just the shareholders alone. Others include employees, community, stakeholders, government, customers, suppliers, and shareholders. For instance, employees are providers of labour and use their brains and energy in the production processes that corporations depend on. Community has a stake because business does not operate in a vacuum; it must operate in an environment (Idemudia, 2008). And, where it operates, it may cause environmental degradation through pollution and possibly depends on the community for inputs used in the production process. Customers are the lifeblood of business. Corporations depend on them for direct consumption or to facilitate the resale of goods and services to be financial healthy and to effectively engage in continuous production as well as the turn-around of liquid cash required for the entire operation of the corporation. On the other hand, they also depend on corporations for production of goods and services they need. Suppliers provide corporations with raw materials and accessories required for the daily operations. Corporations also depends on governments and other organised interests to formulate and implement public policy, and define and structure the behaviour of private organisations to serve public ends through regulations and incentives. Conversely, the federal, state, and local governments depend on

corporations for revenue generation. However, they all have a stake and rely on corporations for the production of goods and services.

2.3 Theoretical framework

This study explores Sen's capability approach (CA) as a theoretical framework.

2.3.1 Sen's capability approach

Sen propounded the capability approach (CA) as a standard economic framework for thinking about general poverty, inequality and human development. He developed, refined and defended the framework with human capability and freedom (Sen, 1980, 1984, 1985, 1987, 1992, 1997). Even though CA can be traced back to Aristotle's *classical political economy* and Max, Sen laid a strong foundation for the approach by subscribing pluralistic paradigms through the integration of numerous theories developed by other authors (Smith, 1776; Max, 1844; Rawls, 1971; Berlin, 1958; Aristotle).

Included in Sen's pluralistic paradigm is the idea of New Basic Need (NBN), which centres on providing human beings, particularly the poor and the deprived, with opportunities for a full life (Streeten in Haq, 1995:6; Streeten et al., 1981; Stewart & Deneulin, 2002). It is worth noting that CA extends far beyond the analytical process of poverty and deprivation, but, rather, covers general human well-being. This assertion is underpinned by Alkire (2002:170) who stated that:

‘The unique and most paramount function of CA is to make explicit and implicit assumptions in the BNA about the value of choice and participation without regards for coercion’.

How, then, do we define CA? How does it consider people? CA holds that we should focus on *what people are actually able to do and be* (Sen, 1992:40; Nussbaum, 1999) in (SSJ 34). CA considers people individually, so to speak, one by one. Subscribing to CA

implies that the focus should not only be geared towards intensifying the desired satisfaction or people's happiness, but to enhancing people's freedom to do and to be what they want if it is good for them, to do what they want to do, and to avoid challenges to being what they want to be. Sen (1985a, lecture 3) argued that capability failures can stem from the violation of personal rights as well as the absence of positive freedoms.

2.3.2 Sen's conceptual framework

The conceptual framework of CA is evident in Sen's critique of traditional welfare economies. Sen distinguished between commodities, human functioning / capability and utility as shown below.

Commodity-> Capability-> (to function) -> Function(ing) -> Utility (e.g. happiness)

In the commodity approach, Sen took two paths. First, is the Adam Smith view that economic growth and expansion of goods and services are necessary for human development. Second is the Aristotelian view that *wealth is evidently not the good we are seeking; but only useful for the sake of something else* (Sen, 1990:44). According to Sen, judgement of quality of life should be based on what people are able to achieve. He further averred that people and societies differ in their capacity to convert income and commodities into valuable achievements. For example, a walking stick used by a traditional title holder in a community to mirror or expose his traditional position may be required by a disabled person to facilitate movement from one place to another. Whilst comparing well-being, inadequate information is provided by observing only the commodities each can successfully command. Instead, attention must be paid to how much better people are able to function with available goods and services.

However, Sen challenged the welfare or utility approach concerned with happiness, pleasure and desire fulfilment (Sen, 1985:18–28), arguing that utility does not differentiate between various sources of pleasure or desire (Sen, 1984:308; Rawls,

1971:30–31). Sen contended that there is more to life than achieving utility. Even though it is paramount to recognise utility, things of intrinsic value such as *rights and positive freedom* are not considered in the welfare approach (Sen, 1987:8, 1992:54, 1999:62) and therefore should be regarded as the *primary informal base* (Sen, 1993:39–49).

Based on the above, it was concluded that opulence (income, commodity command or utility (happiness, desire and fulfilment) does not properly embrace human well-being and deprivation). Instead, it is a more direct approach that focuses on human function(ing)s and the capability to achieve valuable function(ing)s. To talk about CA, to comprehend more of CA, and to heighten the discussion of CA, there is the need to be familiar with terms such as functioning, capability, functioning n-triple and capability sets, outlined by Sen (1985; 1993), below:

Functioning – Sen (1985:10) defined functioning as an achievement of a person, what he or she manages to do or be, thus mirroring an aspect of the *state* of that person. It is also defined as *various things a person may value doing or being* (Sen, 1999:75). For example, if a thirsty individual is provided with commodities (some water and soft drinks), the choice of achieving the functioning will be determined by personal and social factors.

Capability – capability is the actual ability to function in different ways (Sen, 1985). It also refers to the alternative combination of functioning the person can achieve from which he or she can choose one collection (Sen, 1993:31; 1992:40; 2005:153). Sen (1985; 1992; 1999) further views capabilities as a person's real opportunities or positive freedom of choice between possible lifestyles. Saith (2001:8) saw capability as a person's ability to achieve a given functioning (*doing or being*). For example, a car owner can visit a friend using the car, but could decide to visit a friend by trekking.

Functioning n-triple – this simply implies addition of functioning and capability. It can be stated as functioning + capability. Broadly, it depicts the *state* of a person and the *doings* and *beings* of a person's life.

Capability set – this depicts a set of attainable functioning achieved by a person. It also denotes the ability of a person to choose between various commodity bundles and utilisation. According to Sen (1985, 1992, 1999) and Saith (2001), a capability set is obtained through application of all feasible utilisation to all attainable commodity bundles.

Having summarised the meanings and conceptual framework of Sen's CA, it is pertinent to ask the following questions: are there benefits and constraints associated with Sen's CA? Are there lists of capabilities propounded by Sen? Are there other strong and powerful advocates of CA apart from Sen? Are there other areas or lists of capabilities covered in the CA of these advocates that are different from those of Sen? Are there common areas of CA propagated by Sen and other advocates? How do we understand the critique of other advocates' approaches?

To answer the first question, on benefits of CA, I will begin by stating that Sen's CA enhances the ability of researchers to develop CA and apply it to solving numerous problems. Because of Sen's CA flexibility, it thus provides considerable freedom for the use of pluralistic ethical paradigms (Alkire, 2002:8–11). According to Sen, the choice, selection and weighing of capabilities depends on value judgement determined by the nature and purpose of the evaluation exercise. On intrinsic value capabilities, Sen advocated for and emphasised being able to read, write and communicate – literacy and scientific participation (Sen, 1984:497; Clark, 2002, table 3.1).

CA is a normative framework for assessing *latu sensu* – the well-being of persons. CA was used to assess and investigate poverty and well-being (Sen, 1993:31–32, 40–42; Balestrino, 1996; Chiapper Martineti, 1994; 1996; 2000; Clark & Qizilbash, 2002;

2005; Klasen, 1997; 2000; Majundar and Subramanian, 2001; Sen, 1992; 1999), inequality along the lines of gender such as race, class and age (Sen, 1985, 1999; Majundar and Subramanian, 2001), social justice, social exclusion, health disability, child poverty and identity, personal liberty, economic growth and efficiency, living standards, human needs, human rights and human security, rights and duties, human development index covering income (opportunities), life expectancy, education, development and human agency and participation. On agency, it thus emphasised environmental preservation and procurement of free trade goods, opposing injustice, conflicts with personal well-being, tyranny and oppression (Sen, 1985; 1985a; 1992, ch.4). Other aspects of assessment by CA include human heterogeneity and diversity, group disparities, public action and democracy to forge goals, influencing policy and making choices, and the belief that people possess varied culture, aspirations and values.

However, Sen's CA faces numerous criticisms in spite of the benefits associated with it. Some of the criticisms include relativism of weights assigned to capabilities (Beitz, 1986), disagreement by people about the nature of a good life (Sugden, 1993:1952–1953), operational issues of Sen's framework (Sugden, 1993:1953), unavailability of social indicators (Clark, 2005), the high informational base of Sen's CA (Alkire, 2002:181-93; Sen, 1994), Sen's proposal of *dominance ranking* and the *intersection approach* for extending incomplete orderings (Sen, 1985; 1993; Saith, 2001), the assertion that shifting from functioning to capability is cumbersome (Clark, 2005) and incomplete lists of capabilities (Robeyns, 2003; Nussbaum, 2000). However, Sen argued that practical and strategic reasons are the circumstances behind the scenes (Sen, 1993:47; Clark, 2002:54; Qizilbash, 2002). Second, Sen also argued that his reluctance to join the search for such a canonical list arose partly from difficulty in seeing how the exact lists and weights would be chosen without appropriate specification of the context

of their use, which could vary (Sen, 2005:157). Third, Sen deliberately resisted the prescription of a set of capabilities; instead, he emphasised the need for a democratic process to identify the list of valued capabilities (Sen, 2004:77–81). Fourth, Sen (1992:49) contended that *fundamental and pragmatic* reasons are responsible for the incompleteness of valued capabilities. Sen's deliberate refusal to prescribe which capabilities should be valued was underpinned by Unterhalter (2003:666) who argued that there is a need for any framework of thought to be open if it is to be utilised in diverse settings. Numerous philosophers and social scientists have attempted to complete Sen's framework and, therefore, generate lists of human capabilities (Alkire, 2002, ch.2; Clark, 2002, ch.3; Saith, 2001; Alkire and Black, 1997; Alkire, 2002, ch.4; Clark, 2002, ch.4, 2003; Desai, 1995; Nussbaum, 1990; 1995; 2000; 2003; Robeyns, 2003).

In spite of efforts by philosophers and social scientists, in particular the great philosopher Nussbaum's (2000:72–75; 2003:41–42; 2005a, 41–42) generation of lists of capabilities (consisting of life; bodily health; bodily integrity; senses, imagination and thought; emotions; practical reasons; affiliations; other species; play; political and material control over one's environment) to corroborate Sen's CA, Sen was not discouraged nor did he lose hope of the outcome of the contentious debate about an incomplete list of capabilities; rather, he was courageous and focused and came up with the latest version of CA, which explicitly recognised five broad categories of instrumental freedoms consisting of political freedom, economic facilities, social opportunities, transparency guarantees and protective security (Sen, 1999, esp. ch.2). In this new version of Sen's CA, the empirical relationships and interconnections of various capabilities and freedom are adequately investigated (Sen, 1999; Clark, 2002, 2005).

2.4 Corporate social responsibility in the non-western context

2.4.1 Introduction

This section explores CSR in the non-western world. It consists of factors responsible for the disparities between the CSR of the western countries and the CSR of the non-western world. I encapsulate the nature of CSR in Africa and support it with the characteristics associated with CSR in developing countries. In this section, also, the new African management philosophies of Ubuntu, African renaissance and Omoluwabi are explained. This in turn provides a review of CSR and MNCs' activities and commitments in Africa and why MNCs must enhance effective and efficient CSR in Africa.

2.4.2 Corporate social responsibility in the non-western context

The historical background of corporate social responsibility in the western world dates back to the 20th century, and it is evident in the United States of America (Carroll, 1999). However, CSR literature, practices and vital gestures were extended to other parts of the world including Africa (the developing world). Developing countries, according to the United Nations Development Programme (2006), comprise nations with relatively low per-capita income and which are less industrialised.

However, CSR in MNOCs operating in developing countries is expected to contribute in no small measure to fill the wider gaps in industrialisation, economic growth and development of developing economies, especially in the Niger Delta where a plethora of MNOCs have embarked on oil exploration and exploitation. The achievements of these noble objectives have hitherto been evident in the meaning of social responsibility (SR) from Bowen's (1953) perspective. Thus, SR from Bowen's (1953) perspective is traditional and equipped to ameliorate the devastating social ills that have engulfed the Niger Delta over the years. Further, Bowen's perspective of SR tempers the utmost mercy and support for CSR in the Niger Delta to outline the tentative list of social goals

that businesses are expected to deliver in their areas of operations. The social goals are, perhaps, aimed at minimisation of decadence and at more light being shone on CSR in MNOCs in the Niger Delta.

2.4.3 Corporate social responsibility from Bowen's (1953) perspective

Early literature on corporate social responsibility (CSR) commenced with social responsibility (SR), and Bowen (1953:1-248) published *The Social Responsibilities of the Businessman*. Bowen was a professor of economics at Williams College at the time. Bowen (1953:6) defined social responsibility of businessmen (SRB) as *the obligations of businessmen to pursue those policies, to make those decisions, or to follow those lines of action which are desirable in terms of the objectives and values of our society*. According to Bowen's clarification of this definition, business, as an integral part of society, and servant of society, possesses the acumen and wherewithal to criticise societal values, and could further seek advancement of these, but must not attempt to neglect or relegate the socially accepted values of the society below their values. Thus, the principle of social responsibility is the voluntary assumption of social responsibility by businessmen to ameliorate economic challenge to attain in full the economic goals of the society (Bowen, 1953:6).

However, SR, synonymously known as public responsibility, social obligations or business morality, is keen on the ideology that business be conducted with concern for the effects of its operations upon the attainment of valued social goals (Bowen, 1953:8). The goals are a tentative list based upon which the social responsibilities of business must be defined (Bowen, 1953:8-12). Moreover, the goals also set the platform for judging the social performance of private large businesses and corporations such as multinational oil companies (MNOCs) operating in the Niger Delta. The goals consist of:

1. **High standard of living.** Otherwise known as *high productivity* or *abundance*, referring to availability of goods and services for consumption by the masses and an adequate amount of leisure made available from the abundance.
2. **Economic progress.** This reflects prioritisation of technological progress to enhance new production methods and new products. The emphases here is that business should increase its plants and equipment to be able to increase its non-material capital such as education, training, and energy of workers, and to effectively and adequately explore natural resources for improvement of natural materials and land.
3. **Economic stability.** This implies that; there should be no surplus fluctuation in the macroeconomy. It thus depicts a requirement of fairly constant output growth with low and stable inflation, in order for it to be considered that there is economic stability. Here, the goal of business should be perfect economic stability to allow the economy to remain conducive to the people's well-being.
4. **Personal security.** The discussion of personal security can be viewed from two perspectives. The first is that of the Great Depression of the 1930s, when personal security was perceived as paramount; this was considered to be an individualistic era characterised by the proliferation of insecurity such as fear of unemployment, accident, death, old age, and sickness. At that time, the individual was responsible for his or her security contingencies, or his or her family were responsible for his or her security contingencies. These developments posed challenges to individuals and families because of the fact that the contingencies were beyond the capability of individuals and families, and, therefore, led to calls for a new concept of collective responsibility which allows exclusively individual or family challenges to become largely a social challenge.

5. **Order.** This refers to stable and regular availability of goods to the market to ensure equilibrium in demand and supply. The equilibrium point is a point where the quantity supplied is equal to the quantity demanded. In addition, when equilibrium is achieved, the emphasis should be on economic relationships characterised by freedom from violence. Order, however, possesses economic connotations and is associated with political systems.
6. **Justice.** The concept of justice in economic affairs refers to equity in the distribution of income and widespread personal development and economic advancement. These include provision of broad access to education, improvement of neighbourhood and family environment, provision of public health services, punishments against nepotism and removal of restrictions based upon colour, race, national origin, religion, sex, age, political opinion, physical appearance, or social status.
7. **Freedom.** The definition of freedom is the right to act, the power to think, and the right to speak as you want. Going back to the discussion on the economic sphere, freedom was discussed by Bowen (1953:10) in relation to four rights. The first is freedom of enterprise, where the individual or group of individuals has the right to organise the factors of production like; capital, land and labour in the production and distribution of goods to the market, and to enjoy the profit or bear the loss from such ventures. Second is freedom of consumer choice; here, the individual has the right of choice to purchase whatever is offered in the market for sale given the purchasing power at his/her disposal. The third is freedom of choice of occupation; this means the right of an individual or group of individuals to decide what vocation to follow, and to change his/her vocation or place of employment whenever he/she chooses. The fourth is freedom of organisation, which is the right of individuals to band together for common

purposes, such as unions in corporations, labour unions, trade associations, farmers' associations and professional associations.

8. **Development of the individual person.** This is one of the concerns or goals of economic life – to provide the physical and social environment that will bring about pleasure in work to satisfy human relations, and development of the human personality. These are related to the significance of having safe, healthful, and pleasant work-places; mutual respect and consideration in the relationships of individuals as workers, employers, sellers, customers, competitors, investors, government officials, etc.; and widespread opportunities for creative activity, craftsmanship, artistic and scientific achievement, inventiveness, administrative skills, participation in decisions, assumption of responsibility, cultural advancement, and social and recreational activities.
9. **Community improvement.** The concern here is about impact of economic activity on the quality of the local community where the economic activity is being held. The goals of life suggest that concrete arrangements should be in place to locate factories and shops, deal with the disposal of smoke and waste, enhance the appearance of buildings and grounds and the use of signs, etc., to make the living environment healthy and full of aesthetic satisfaction, to achieve community organisation, and to provide services and facilities to enhance a completely satisfying social environment.
10. **National security.** The paradigm of national security is related to economic goals. National security emerged from the United States after the Second World War. The US department of defence (DOD, 2014:1) defines national security interests as *the foundation for the development of valid national objectives that define US goal or purpose. National security interests include preserving US political identity, framework, and institutions; fostering economic well-being,*

and bolstering international orders, supporting vital interest of US and its allies (DOD, 2014:1). But, in recent years, the goal of national security has included the defence of liberal institutions and dominant preoccupations of American people due to the fact that military power diverts productive resources from civilian to military purposes.

11. **Personal integrity.** Another concern of the goals of economic life is to maintain a high standard of honour in all economic activities and transactions, which includes truthfulness in advertising and selling, observance of contracts, fairness in relations with competitors, avoidance of questionable financial manipulation, compliance with taxation and general adherence to the 'rules of the game', both in letter and spirit.

Conclusion

From the above, it can be deduced that the goals of economic life and SR as given by Bowen (1953) are more than ordinary description of the responsibilities of corporations, but, rather, he articulated the economic goals and social responsibilities of business as Siamese twins providing a beacon of morality for the overall benefit of society. By implication, morality as one of the foundations of economic life can be achieved only if businesses amend their operations to tally with the needs of society, and society in return must also develop and imbibe attitudes and policies more favourable to business. Again, business must not concentrate on spelling out specific responsibilities that focus more on those obligations considered to be in their own interests to the detriment of societal interests. Consequently, effective morality in behaviour by businesses can be achieved if public attitudes that would widen the moral responsibilities of business are created (Bowen, 1953:68).

2.4.4 Nature of corporate social responsibility in Africa

Visser et al. (2007) provides the following characteristics associated with CSR in developing countries.

- No formalised institutions for a CSR benchmark. For instance, only a few countries in Africa have institutionalised CSR codes, standards, reporting, and management systems.
- The few countries in Africa that have institutionalised CSR have discovered that only giant multinationals and indigenous companies with international recognition are engaged in CSR practices.
- Most CSR guidelines, codes and standards are oriented towards issues such as HIV/AIDS, agriculture, mining and textiles.
- CSR in developing countries is associated with philanthropy and / or charity via corporate social investment in environment, health, education, sports and other community-related services.
- Business economic contribution is often regarded as the most significant and effective way of impacting socially on the community. For instance, creation of jobs, payment of taxes, and transfer of technology in the form of empowerment schemes.
- Businesses perceive CSR in developing countries mainly as functions of the government, such as provision of basic infrastructural facilities, roads, piped water, light, schools, housing and health.
- CSR priorities in developing countries differ from CSR priorities in western nations. For instance, in Africa, CSR prioritises HIV/AIDS minimisation, poverty alleviation, and provision of basic amenities.

- Socially related issues receive more economic, political and media attention in developing countries than do stakeholders, ethics and environmental issues (Schmilieny, 2006).
- Traditional communitarian values and religious concepts in developing countries influence the spirit and practices of CSR.

In the light of the above developments, Visser (2006) perceived that the value-based traditional philosophy of African humanism, ‘Ubuntu’, underpins the modern inclusive approaches to CSR in developing countries. However, the traditional African philosophy has been tagged as *new management approaches in Africa or African theories*.

2.4.5 New African management theories in CSR

African management theories, otherwise known as African management philosophy, are management principles and practices from African culture, beliefs and values, and the utilisation of the principles to run organisations more effectively and efficiently. Edoho (2001) defined African management philosophy as a practical way of thinking about how to effectively run organisations in either the public or private sectors on the basis of African ideas and in terms of how social and economic life is actually experienced in the region. It consists of Ubuntu, African renaissance and Omoluwabi.

2.4.5.1 Ubuntu

Ubuntu is derived from the Nguni (IsiZulu) – *Umutu Ngumutu Ngabantu*, meaning *a person is a person because of or through other* (Moloketi, 2009:243; Tutu, 2000:25–26). Ubuntu in African culture implies compassion, reciprocity, dignity, humanity and mutuality with an interest in bringing the community together with common justice and mutual caring (Khoza, 2006:6; Luhabe, 2002:103; Mandela, 2006:xxv; Tutu, 1999:3–35). This definition raises concerns and questions. First, what is the relationship of

Ubuntu and CSR? Secondly, which theories best explain some integral aspects of Ubuntu? For example, to explain the relationship of Ubuntu and CSR, let me use reciprocity as an element in the definition of Ubuntu. Reciprocity in Ubuntu relates to CSR as giving back to society. In the Niger Delta communities, oil exploration and exploitation cause ecological and human disaster (Inyang and Awak-Essien, 1995).

Other issues, such as gender and gender equality, human rights, democracy and good governance are matters of concern, whilst communities expect multinational oil companies to reciprocate by paying compensation for the damage done to the environment. In addition, following inability of multinational oil corporations to provide communities with compensation and sustainable CSR often results in confrontation with the communities. The gospel that Ubuntu teaches in CSR is that living together entails mutual cooperation and benefits among communities or corporations that are located in Africa.

Second, in the African management system context, the African Ubuntu philosophy represents humanness, a pervasive spirit of caring within the community in which the individuals in the community love one another. The African governance framework recognises respect, dignity and caring as critical values of African society (Eze, 2006; Pooven et al., 2009). Hence, the ethical theories of CSR (Freeman, Wicks and Gilbert, 1999; Burton and Dunn, 1996; Donaldson, 1982; Donaldson and Dunfee, 1994; 1999; Argandoona, 1998; Mahoon & McGowan, 1991; Velasquez, 1992; Philips, 1997) and the capability approach (Sen, 1980; 1984; 1985; 1987; 1992; 1997) and supporters of the capability approach (Smith, 1776; Max, 1844; Rawls, 1971; Berlin, 1958; Aristotle, n.d.) possess enormous potential for addressing the ethical concerns and questions which have underpinned Ubuntu philosophy. Other theories of the good to guide moral judgements and ethics of human well-being include Alkire (2002, ch.2), Clark (2002.

ch.3), Saith (2001), Alkire and Black (1997), Alkire (2002, ch.4), Clark (2002, ch.4, 2003), Desai (1995) and Nussbaum (1990; 1995; 2000; 2003). For instance, the aspect of mutual caring in the definition of Ubuntu is related to CSR via feminist ethics theory (Freeman, Wicks and Gilbert, 1999; Burton and Dunn, 1996) that corporations should maintain a healthy social relationship with stakeholders and communities, exhibit loving care, and avoid harm to the environment where they operate. The capability approach is concerned with provision of opportunities for a full life for human beings, especially the poor and deprived (Streeten in Haq, 1995:ix; Streeten et al., 1981:21). The assertion by the scholars of these theories in CSR resonates with the expectations of the Niger Delta communities in Nigeria. For instance, in the Niger Delta, the idea of the care paradigm in Ubuntu is extended to CSR under philanthropic responsibilities by oil companies in the Niger Delta oil-producing communities. Cobe (2007) asserted that Shell Petroleum Development Company (SPDC) provided infrastructure and employment and worked with communities and governments at all levels, as well as domestic and international organisations, in order to promote peace in the Niger Delta region.

Ubuntu in the CSR of Shell is evident in its community development programmes in the local communities within the Niger Delta region, where it has contributed to the development of education by awarding scholarships (primary, post-primary and university) to local people, building classrooms, providing equipment and paying the allowances of primary school teachers (Tuodolo, 2009), all of which resonate with the ideologies and views of Ubuntu philosophy that the community is more significant than the individual, and that human beings and their relationship with the community embody the ethics of defining Africans and their social behaviour (Dia, 1996; Mbigi, 2005:75; Van den Heuvel, Mangaliso and Van de Bunt, 2006:48). It is worth noting that Ubuntu philosophy believes in group solidarity as crucial for the survival of African

community (Dia, 1996; Mbigi and Maree, 2000:75). This assertion was further underpinned by Tutu (2004:25):

A person is a person through other persons. None of us comes into the world fully formed. We would not know how to think, or walk, or speak, or behave as human beings unless we learned it from other human beings. We need other human beings in order to be human.

Mandela (2005) contended that the Ubuntu philosophy constitutes a universal truth, and a way of life which supports open society. Ubuntu philosophy in the African context does not prevent individuals, groups, or corporations from addressing challenges, but it does imply that, in the process of doing this, attempts must be made to ensure whether what they are doing is focused on or aims to empower and / or improve the community.

- **African Ubuntu enhances corporate performance**

This section discusses the relevance of Ubuntu philosophy in the African context and how it enhances corporate performance.

First, corporate performance of corporations in Africa will improve if the doctrine of the profound African philosophy of Ubuntu, specifically of community relations, is injected into corporate governance policies. Corporate governance issues are now matters of concern in modern business practices. However, corporate governance and business ethics are interrelated and considered critical in organisation practice and corporate productivity (Rossouw, 2005:105). Corporate governance sets the legal framework to protect a company's shareholders and stakeholders, and, knowing fully that the community is a stakeholder, there is the need to fully protect it. This tallies with the idiom *business does not exist in a vacuum, but in an environment* (Idemudia, 2010). However, community relations create, maintain and protect an organisation's reputation,

enhance its prestige, and present a favourable image. Studies have mirrored how consumers' purchase decisions are based on a company's reputation.

For instance, in the Niger Delta region of Nigeria, multinational oil corporations are likely to boost their oil exploration and exploitation capacity if they maintain cordial relationships with the communities. Other improvements and benefits to be reaped in this direction include hikes in revenue generation for both the multinationals and the federal government of Nigeria, and absolute eradication of militancy and hostage-taking of foreign expatriates, destruction of oil installations and oil bunkering, amongst others. This scenario is further underpinned by the introduction of the amnesty programme by the late President Musa Yar'adua, who recognised the African tradition of Ubuntu philosophy by extending the gesture of community relationship to the Niger Delta communities. However, the introduction of the amnesty programme reflected some of the benefits highlighted above. In addition, organisations can heighten their relationship with communities through effective provision of CSR, sustainable development and sustainable human rights actions.

It is pertinent to note that the philosophical paradigm of African Ubuntu plays a significant role in determining the success of any organisation in Africa, be it indigenous or foreign (Mangaliso, 2001:32). However, those that are accustomed to, imbibe and practise Ubuntu are always open and make themselves available to others; they are affirming of others, and do not feel threatened when others are able and good. Any individual who does not associate with the community is termed an outcast, and this is repugnant to western ideologies. In African society, communitarianism is paramount as human beings in an environment regard themselves as human beings only through their relationships with other human beings (Tutu in Battle, 1997:39–43). Based on the above, an organisation operating in Africa must imbibe the paradigm of the

traditional philosophy of African Ubuntu if it is to retain its licence to operate and survive in an African environment.

Secondly, positive behaviour is embedded in Ubuntu philosophy. The demonstration of moral behaviour by communities in Africa remains the bedrock of Ubuntu philosophy. Positive behaviour in Ubuntu reflects individual thought directed towards the community (Maphisa, 1994:290–296). It thus encapsulates human values, such as sympathy, love, sharing, kindness and equality. Equality in African community is versed in Sen's capability approach. Sen (1985; 1987; 1992; 1993; 1995; 1998) criticised inequality in the welfare economies for being exclusively focused on income, and, instead, contended that priority should be placed on real freedom of people to lead a valuable life and enjoy a positive state of being. However, Sen posited that, in normative evaluation, the emphasis should be on what people are able to be, and not on what they can consume, or on their income. In addition, Broodryk (2005:175) contended that the human-value-based behaviour of Ubuntu includes visiting sick people that are not one's relations, sending condolences to the bereaved, orphan adoption, catering for the needy in the community including elderly people, and greeting others in a friendly and compassionate manner.

The above literature of Ubuntu philosophy is the description of a humanistic, community-based and socialist African society, contrary to western society. However, African-based organisations can improve their corporate performance and status quo if they train their employees to understand African society and their roles of corporate citizenship in society in this direction.

It is worth noting that Ubuntu and other key factors such as the African renaissance and Omoluwabi are some of the factors responsible for a unique application of CSR in the African context. This thesis explores these factors and relates them to CSR in the African context, especially in Nigeria. As a researcher in these areas, I considered

Ubuntu, African renaissance and Omoluwabi as national anthems of Africa for organisations operating in the continent.

2.4.5.2 African renaissance

The African renaissance is a clarion call for all Africans to unite, and to tackle the numerous constraints associated with the African continent. This profound concept of African renaissance was expounded by the former President of South Africa Thabo Mbeki. The concept reached its height in the 1990s and the connotation was explored in 1994 in South Africa, following the first democratic election after the end of apartheid. Jackson (2004) described the concept as a *cross-cultural perspective*, inclusive of what Africa can offer the world.

The definition of African renaissance, and the common good attached to the concept, is somewhat controversial. Some analysts have considered it a fanciful idea, whilst conceding that it is quite popular, comparing it rather satirically to the story of the emperor's new clothes. Ronge (1997:8) reveals:

The latest of these invisible suits, one being worn with increasing frequency by politicians and media gurus, is the so-called African renaissance and I learned that it is a risky thing to admit that you can't see it. That is one of the reasons it has become so very chic. If you can see it, it makes you part of the visionary African inner circle, those who have been blessed with an almost mystic perception of a new dawning of Africanness. Not to see it make you an outsider ... when I ask people about it, they say: If you can't see it, then you are not a real African and probably don't really belong here.

Another controversial position by Moyo (1998:9) in respect of the African renaissance and the future of Africa is as follows:

Stripped of the feel-good pretences about the destiny of African beyond their ill-fated past, prevailing notions of the African renaissance are no more than political nonsense.

Moyo (1998:9) qualified renaissance as manifestly vacuous and misleading political nonsense, because it is full of promise without mirroring anything paramount or new. A more controversial position by Moyo (1998:10) is that:

African renaissance is South African-oriented, South African-centred and popularised by the South African President Thabo Mbeki, even though South Africa is not Africa and Africa is not South Africa, and the new South Africa is a result of African renaissance, and not a prime mover.

Moyo (1998:10) argued that African renaissance lacked specificity, and several attempts have been made to integrate South African interests with the African agenda, and in the process distract attention away from the African debate. Vale and Maseko (1998:283) also argued that South Africa cannot claim to lead an African renaissance. They reiterated that South Africa cannot; indeed, it dare not. Vale and Maseko (1998:278) contended that Africa should gradually find its way out of economic, social and cultural slumber, and engage globalisation to secure the interest of the overwhelming numbers of Africa's vast population. In addition, Kirkpatrick (1983:1095) considered that this must be separated from the call for Africa's rebirth in the classical meaning of renaissance. The state of the controversy and scepticism led Moyo (1997:8) to define African renaissance in another direction as *the rediscovery of Africans at a moment when, for the first time, Africa is free from domination by alien cultures*. Now the question is: which of the definitions should be accepted and widely used to describe African renaissance? Is it the definition popularised by Thabo Mbeki? Or by Moyo (1997:8)? Again, how realistic are the flaws of African renaissance posited by Moyo (1997:8; 1998:10; 1998:11), Vale and Maseko (1998:283) and Kirkpatrick

(1998:1095)? Finally, is it the characterisation of the African renaissance by Moyo that describes its true values? Or the key values popularised by Thabo Mbeki? This study suggests that the state of the African renaissance in respect of this confusing debate should be properly addressed and clarified by African leaders and exponents of this profound concept.

- **The state of corporate social responsibility in the African renaissance**

The African renaissance is the brainchild of President Thabo Mbeki in response to the World Bank's challenge 'Can Africa Claim the 21st Century?' (Mbeki, 2006). The African renaissance has increasingly recognised social responsibility, especially the social, political, cultural and environmental components of the development process. African renaissance's fundamental propositions are to meet the basic needs of people, end poverty and improve quality of life. These may be achieved by access to education, adequate health care delivery, housing, clean piped water and modern sanitation. To achieve all of these, there is the need for state-private partnership to facilitate reduction of poverty and inequality (Owusu, 2003:1663). Nevertheless, a concerted effort was embarked upon to initiate the New Partnership for African Development (NEPAD). NEPAD is a programme of the African Union (AU) adopted in Lusaka, Zambia, in 2001. It is a radically new intervention with African leaders heading its affairs to pursue new priorities, initiatives and approaches to socioeconomic and political transformation. Its key objective is to enhance Africa's growth, development and participation in the global economy.

In addition, African governments are expected to achieve these obligations in their domains by ensuring the establishment of law foundations, effective macroeconomic environment policy, enhanced investment in basic social services and infrastructural facilities, and a comprehensive safety net for vulnerable individuals in society (Legum, 2000:88). The African renaissance supports programmes of mass education to boost

African economic activities (Oliver and Atmore, 1994:267). Education is the bedrock of national investment, economic development and human capital (Belshaw and Livingstone, 2002:4). It is worth noting that investment in education, training and research is paramount to establishing new industries.

The importance of educational development was recognised by the World Bank, and identified three tasks for developing countries wishing to explore the merits associated with globalisation via acquisition and adaptation of knowledge, investing in human capital to improve ability to enshrine and apply the know-how, and investment in technology to facilitate the acquisition and absorption of new initiatives (Jordan, 2001:81). The African renaissance, for reasons of ethicality and morality, has advocated the repeal of foreign debts owed by African countries to enhance economic development, improve terms of trade, proliferate domestic and foreign investment, expand development assistance, and create a better and more reliable market for African products (Mbeki, 1998). These assertions were underpinned by Fenyes and Campbell (2003:547) who stated that the immediate and unconditional repeal of Africa's debt will facilitate judicious utilisation of resources for production, education, health, culture, freedom and alleviation of poverty.

On human rights, the United Nations (2000) set out a global international initiative to promote CSR with human rights included as a key value to support, respect and protect internationally proclaimed human rights, and the elimination or total abolition or avoidance of human rights abuses. This idea was dovetailed with and embedded in the African renaissance as well. The African renaissance recognises African human rights. The idea of people's rights advanced by the African Charter on Human and Individual Rights (1981) defined the African concept of human rights, and the identification of people's rights in the African Charter not only distinguishes the Charter from other regional human treaties, but mirrors the historical struggle of the African populace to

resist all forms of domination and exploitation, to achieve political freedom as well as economic and social equity.

The introductory aspect of the African Charter on Human and People's Rights (1981) stated that *freedom, equality, justice and dignity are essential objectives for the achievement of the legitimate aspiration of African peoples*. These explanations were further strengthened within the context of the Charter (1981), hence:

the pledge they (i.e., States' Parties to the Charter) solemnly made in article 2 of the said Charter (the Charter of the Organisation of African Unity) to eradicate all forms of colonialism from Africa, to coordinate and intensify their efforts to achieve a better life for the people of Africa.

Article 19 of the African Charter on Human and People's Rights (1981) stated that *all peoples shall be equal: they shall enjoy the same respect and shall have the same rights. Nothing shall justify the domination of people by another* And article 20 enumerated in its sub-article (1) that *all peoples shall have the right to existence. They shall have the unquestionable and inalienable right to self-determination*. It further stated that they *shall freely determine their political status, and shall pursue their economic and social development according to their chosen policy*.

However, there is laxity on the part of most of the African countries in implementing their continental constitutional framework of human rights and the African Charter on Human and People's Rights (1981). For instance, in Nigeria, there is evidence of gross human rights violations and abuses by multinational oil corporations in the Niger Delta, and the enforcement of both the national constitutional framework on human rights and the African Charter on Human and People's Rights (1981) is problematic in the Niger Delta region. These regulations and policies are rarely enforced and often blatantly ignored. This is the most common reason for mockery and degradation of the Charter by its critics, who have claimed *we cannot and should not continue to delude ourselves that*

we have a human rights system. What we have is a facade, a yoke that African leaders have put around our (Africans') necks (Olaniyan, 2011). It is high time the Nigerian government realised that other countries of the world successfully implement the laws concerned with violations and abuses of human rights to protect the interests of their citizenry and should follow suit.

In the Niger Delta, inhabitants are subjected to psychological, physical and environmental trauma, with oil exploration causing havoc to their livelihood. It is pertinent to mention that the Nigerian constitution provides for the protection of the Nigerian and Niger Delta environments under the 1999 constitution of the Federal Republic of Nigeria. Article 20 states that: *The state shall protect and improve the environment and safeguard the water, air, and land, forest and wildlife of Nigeria and guarantees the fundamental right to life (Article 33) and to dignity (Article 34).*

Nigeria has incorporated the African Charter on Human and People's Rights (1981) into its laws, which guarantees fundamental human rights of the people of the Niger Delta with regards to the oil exploration activities of multinational oil corporations operating in the region. It states:

Article 16

- 1. Every individual shall have the right to enjoy the best attainable state of physical and mental health.*
- 2. States' Parties to the present Charter shall take the necessary measures to protect the health of their people and to ensure that they receive medical attention when they are sick...*

Article 24

All peoples shall have the right to a general satisfactory environment favourable to their development.

States' Parties to the present Charter shall have the duty to ensure through teaching, education and publication, the respect of the rights and freedom contained in the present Charter and to see to it that these freedoms and rights as well as corresponding obligations and duties are understood.

In spite of the fact that the African Charter on Human and People's Rights specifically recognises the human rights of the Niger Delta communities, it provides strong grounds for scepticism as to its true value to the development and protection of human rights in Africa. The challenges of the Niger Delta oil-producing community are yet to be resolved, and yet to be substantiated.

2.4.5.3 Omoluwabi

Omoluwabi is an exploration of character as an organising principle in society. It is from Yoruba philosophical thought about comprehending characteristic features of an individual. Kazeem (2009) focused on the real meaning of Omoluwabi. The concept provides Africans with frameworks that match the cultural and contextual needs of society. The concept demands an explanation for determining the social worth of an individual. Omoluwabi comprises the terms *omo + ti + olu-iwo + bi* and their literal meanings: *omo* means *child*, *ti* means *that or which*, *olu-iwa* means *the chief or master of iwa (character)*, and *bi* means *born* in combination (Kazeem, 2009). Abiodun (1983:14) contended that Omoluwabi is an individual well brought up, or a highly cultured individual.

However, Oluwole (2007) applied cultural structured knowledge to assert that *omo ti o ni iwabi* (a child whose character takes after...) is the full rendition of Omoluwabi. Furthermore, she explained that the meaning went beyond the abbreviated. According to Oluwole, the complete phrase implies Omoluwabi to be *omo ti o ni iwabi eni ti ako, ti osi gba eko* (a person that behaves like someone who is well nurtured and lives by the

precepts of education he/she has been given). She considered that Omoluwabi possesses three interrelated descriptions:

Omo ti o ni iwabi (A person who behaves like)

Eni o ti ako (Someone properly nurtured)

Tio si gba eko (And who behaves accordingly)

The above provides a good picture of Omoluwabi in the Yoruba tradition as meaning an individual with deep knowledge and wisdom and trained to be self-disciplined and to develop a sense of responsibility that mirrors private–public actions, social integrity and personality in Yoruba society. Omoluwabi describes whether or not an individual is socially integrated or a misfit or cultural deviant within a given social setting or social organisation (Onyeneye and Shoremi, 1997:253).

The dictum of Omoluwabi in CSR implies the exploration of positive character (*iwa*) by individuals, organisations and non-governmental organisations, and demonstrates key features of the principles of respect (*Iteriba*) for communities where businesses operate and exist-*onu ire* (having good mind towards others) including community; the exhibition and demonstration of rights of stakeholders and community is paramount in this perspective. It is pertinent to note that, whilst companies are developing their CSR policies, they must take into consideration the sociocultural context. This further applies to corporate bodies wanting to boost their operational efficiencies. The ethicality and morality enshrined in the Omoluwabi paradigm is significant for the survival of corporate organisations operating in the African domain. It would be callous for any organisation that operates within the African context to survive and prosper without exhibiting and demonstrating the due diligence of the Omoluwabi approach. The enunciation of Omoluwabi in CSR via respect (*Iteriba*) can be focused through the definition of CSR by BCSR (2000) and the functions of corporate social responsibility by Carty (2011), below.

BCSR (2000) defines CSR as operating a business in a manner that meets or exceeds society's ethical, legal, commercial and public expectations of business. This definition encapsulates business decision-making's relevance to ethical values and legal requirements as well as respect for people, communities and the environment.

- **The ethical function**

Ethical issues are paramount in corporate governance, recognised in Omoluwabi as one of the key factors which corporate bodies like MNOCs must take into consideration while dealing with African communities such as local communities in the Niger Delta. Organisations must form the habit of conforming to the ethical behaviour of African communities, and be aware of unethical business practices within the communities. Accountability to stakeholders, shareholders and community is a merit associated with ethical behaviour. In other words, behaving ethically within African communities will assist companies to minimise conflicting interest between corporate turnover and sustenance of company integrity with regards to the materials and services it manufactures. The ethical function considers how business integrates the social demands of the community, and argues that business relies on society for its existence, growth and perpetual continuity.

However, there is a social contract between society and business. These ethical behaviours are in line with Omoluwabi, which describes whether or not an individual is socially integrated or a misfit or a cultural deviant within a given social setting or social organisation (Oyeneye and Shoremi, 1997). The ethical approach considers the sociocultural context and enshrined empirical and normative aspects of management (Donaldson and Dunfee, 1994; 1999). In addition, the capability approach (Sen, 1980, 1984; 1985; 1987; 1992; 1997) advocated cultural and individual diversity of what people value as being and doing, and allowing the unheard to be heard. This state of

development has enabled the voice of the African community to be heard, especially in terms of business society relationships and cultural affinity.

The common good theory (Argandoña, 1998) holds the common good of society as the referential value for CSR (Mahoon and McGowan, 1991; Velasquez, 1992). The common good is a classical concept rooted in Aristotelian tradition (Smith, 1999), developed philosophically (Maritain, 1966) and assumed into catholic social thought (Carey, 2001) as a key reference for business ethics (Alford and Naughton, 2002; Mele, 2002; Pope John Paul II, 1991:43). This ethical theory suggests that businesses, social groups, governments and NGOs must contribute to the common good, because it is part of society.

However, the common good theory further holds that business should contribute positively to societal well-being, and should not be parasitical or harmful to society, in line with the paradigm of Omoluwabi that individuals, social organisations, non-governmental organisations and businesses contributing to the common good of African communities must integrate the creation of wealth for the people, respect the dignity and inalienable and fundamental rights of individuals, and provide goods and services in a fair and efficient manner, harmoniously living together with stakeholders in a just, peaceful and friendly society in the present and in the future (Mele, 2002).

- **The legal function**

The legal function of CSR enhances companies' transparency of business practice and financial reporting in Africa. It thus facilitates maintenance of legal business practices in the African community, such as strict adherence to health and safety requirements. Omoluwabi encourages positive characteristics that promote goodwill within African communities, and this resonates with the legal function of CSR, which seeks to promote goodwill among investors, stakeholders, government and communities.

- **The societal function**

The societal function of CSR is to respect and invest in the communities where businesses operate. The doctrine of respect (Iteriba) is one of the key values and virtues of Omoluwabi (Abimbola, 1975:389). Respect towards communities and investment in them by organisations takes the form of donating money to local charities in African communities. The investment aspect could also be directed to minimising negative societal impacts such as pollution and waste control in African communities. The implementation of these noble activities positively affects organisations operating in Africa, whilst non-implementation creates negative consequences of inadequate intimacy that could stain community–organisation relationships.

- **The ecological function**

The ecological function of CSR involves not only respecting the immediate environment in which the company operates, but also respecting the company's effect on the global environment. Omoluwabi encourages critical respect for individuals and entire communities. This respect in Omoluwabi could gain a greater footing for organisations operating in Africa if they extended the gesture of minimising ecological degradation, and enhanced the provision of basic infrastructural facilities such as good roads, water, electricity, health, education, and community development programmes across the African continent.

2.4.6 CSR and multinational companies' activities and commitments in

Africa

Apart from the fact that, in Africa, communities and governments do not strongly define the CSR expectations of multinational corporations, there are other reasons for lower emphasis on CSR by African corporations. According to Reed (2002), two major factors are responsible for these developments: first, a weak African economy

presenting a weak financial market, limited resources, absence of an adequate market and an industrial economy. Additionally, there is a failure to put powerful provisions in place to strengthen the defence of democratic principles, sociocultural values and consumerism. Consumerism is a social movement – a social force – that has not only preceded and caused specific legislation, but also exerted pressures upon business organisations, either directly or indirectly (Myers, 1977).

Secondly, basic infrastructural facilities such as roads, education, health, water and employment opportunities, which ought to be provided by the government, are completely lacking. This circumstance increases the burden on multinational corporations of ensuring the provision of these facilities, which in turn affects their turnover.

For instance, in the Escravos, Warri South Local Government Area of Delta State in the Niger Delta region of Nigeria, the inability of the three-tier governments, comprising federal, state and local government, to achieve the provision of employment for women and a clean environment for the community has led to absolute dependence of the community on Chevron to provide these things. On the other hand, failure on the part of Chevron has resulted in physical combat with the community (Abiola, 2002).

In another example of health matters, specifically HIV/AIDS, the International Finance Corporation (2002) has stated that: *HIV/AIDS issues are targeted at private sectors in the developing world.*

Thus, this scenario was underpinned by Lee Smith, former president of Levi Strauss International, who said that, *It is inevitable that a firm doing business in the developing world will pay for AIDS. It is just a question of when and how much.*

This state of affairs is considered exploitative by multinational corporations, as governments should provide or complement their efforts in providing communities with their demands since they also benefit from the communities. In addition, there is a

failure on the part of African governments to adopt and enforce strict CSR regulatory measures and sanctions on multinational corporations that fail to contribute to the social good of African communities. For example, in Nigeria, for almost a decade the Shell Petroleum Development Company defied pressure and used violence to quell community protest against its perceived failure to contribute to the socioeconomic development of the Niger Delta region of Nigeria; whilst Shell was reaping fantastic returns on investments, no measure was taken by the Nigerian government to question the activities of Shell in this regard (George, 2004). However, the inability of the Nigerian government to act positively in such a scenario not only hinders the socioeconomic development of the communities, but, rather, provides corporations with licence to neglect their corporate social responsibilities in the milieu where they operate.

2.4.7 Why multinational corporations must enhance effective and efficient

CSR in Africa

The implementation of CSR in Africa should be facilitated by multinational corporations for numerous reasons. Corporations operating in Africa are responsible for 70% of forest loss in Africa. For example, in the Niger Delta region of Nigeria, crude oil exploration and exploitation has contributed to the loss of mangrove forests. Mangrove trees are a paramount aspect of the economy and the natural environment in the Niger River region. Mangroves provide food and shelter for animals including fish along the riverfront. The World Rainforest Movement has estimated that most of Africa's mangrove forests are in Nigeria, and that eight of the species of mangroves present in Africa are within Nigeria.

In addition, commercial agricultural practices, with the aid of sophisticated technology and industrialisation, result in depletion of forests and biodiversity decimation, especially in the Niger Delta region of Nigeria (Bisong, 2001). However, agriculture and energy exploration accounted for between 12% and 17% of losses in plants,

mammals, and bird species (Economic Commission for Africa, 2001). For example, the West African manatee, and the *Trichechus senegalensis* have been subjected to extinction as a result of poaching, habitat loss and environmental interference. Manatees, which weigh up to 790 pounds, are found in marine coast and freshwater river systems including the Niger.

The above was underpinned by Salau (1993), who said that in Nigeria there are over 4600 plant species, of which about 205 are found in the Niger. Of these, about 484 plants in 112 families are threatened with extinction, as well as many animals and birds. Also, the World Research Institute (1992) estimated that 25 out of 274 mammals, 10 out of 831 birds, and 2 out of 114 reptiles in Nigeria are endangered.

Again, vegetation removed from Africa is about half the quantity removed from the world in total, whilst land degradation accounts for 27.4% of the total global degradation, in spite of the fact that the continent possesses one fifth of the world's total land area. In addition, invasive species resulting from international trade as an outcome of commercial hunting affect 41% of Africa's forest against 13% of that of the rest of the world.

However, the need for and relevance of CSR in Africa is underpinned by its ability to facilitate organisational attractiveness (Luce, Barber and Hillman, 2001; Turban & Greening, 1997). CSR in Africa, indeed, enhances the financial performance of organisations (McGuire, Sundgren and Schneeweis, 1998). It is pertinent to mention that CSR in Africa provides organisations with low and minimal risks to finance, and also promotes a lasting relationship with the financial community and the government, minimising organisational fines and lawsuits, and expanding or increasing organisational strategic options (McGuire et al., 1988). Finally, CSR in Africa enables organisations to exhibit their values, beliefs and performance to customers, investors,

suppliers and employees, and to enable stakeholders to utilise the exhibited elements in assessing the organisation (Jones and Murrell, 2001).

Based on the above, organisations operating in Africa, especially those in the agricultural and energy sectors, should find a way to reciprocate African communities with positive gestures through CSR to ameliorate the inconveniences caused by the operation of their organisations.

2.5 Corporate social responsibility in developed economies

2.5.1 Introduction

The review of this section begins with CSR in developed economies. I proceed to provide the abstract historical development of corporate social responsibility and sustainable development in the developed countries. Further, I explain why CSR is more effective in developed economies, perceptions of CSR in developed economies and challenges of CSR in developed economies.

2.5.2 Brief historical background and development of corporate social responsibility and sustainable development in developed economies

CSR is wide in scope and is increasingly addressing issues that are traditionally in the domain of public actors (Barkemeyer, 2011). CSR preaches the gospel of workers' rights, global governance, sustainable enterprise and all manner of topics relevant to the well-being of the poor and marginalised (Blowfield, 2005:515). CSR has for a long time been extended to the broader societal level and conception of world governance (Finkelstein, 1995; Haas and Kanie, 2004; Rosenau and Czempiel, 1992). CSR has effectively been developed in the USA since the 1960s and was affirmed in a number of European countries such as the UK and Denmark before being taken into account by the European Economic Commission (EEC) authorities (Eberhard-Harribey, 2006). The European Commission (EC) facilitated the communication process about CSR,

publishing a communication entitled 'The Social Responsibility of Business: A Contribution of Business to Sustainable Development'. Since then, CSR Europe and CSR were created by the Danish government in 1998. In October, 2002, the EC set up the EU Multi-Stakeholders Forum on CSR to discuss mutual learning by the main stakeholder group at EU level. To ensure the achievement of the aims, a clarion call in the form of three presidential conferences was organised. The first was in Brussels on 'What is CSR?', the second was in Helsinki on 'Why CSR?' and the third was in Venice on 'How to promote and implement CSR'. Based on these conferences, the 2004 Administration Plan of the General Direction of Business of the EC adopted CSR as a strategic element with high priority in its action to enhance the spirit of business. With these developments, the CSR theme gradually became the language of communities, public action evidence of coherent systems, and normative and cognitive elements that define the vision of the world within the specific field (Hall, 1993; Muller, 1995; Surel, 1998).

It is worth noting that the contributions of the EC on CSR are not aimed at qualifying the theory of CSR at the heart of the EEC authorities, but at questioning the emergence of the concept at the heart of the European Union to determine the eventual impact of the national CSR policies (Andersen and Elliassen, 1993). However, CSR in developed economies is considered to be at an advanced stage. This is because CSR has gone a long way to provide positive outcomes for solving numerous social problems (Callon, 1986). If we look back at the CSR promoters at the international level since 1992, such as the World Business Council for Sustainable Development (WBCSD) created in 1992, the United Nations Global Compact (2000), the International Labour Organisation, the Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (1997–2000) and the OECD Guidelines for Multinational Enterprises (2000), we see that European solidarity on CSR lags behind compared with the roles played by

international organisations, even though it has contributed to the progress and success of CSR in developed economies.

2.5.3 Why CSR is more effective in developed economies

CSR in developed economies is strategically focused and emphasises practicality and implementation. The questions that arise include: is it because CSR originated from the developed world that it is very different from the context of the developing economies? Or is it because developed economies are much more committed to CSR due to the benefits it provides? Or are there other reasons why CSR in developed economies differs from that of developing economies, specifically in the African context? Let me provide a snapshot on this: the Danish government established the Ministry of Social Affairs in 1994, launched a campaign about CSR as a common preoccupation of public and private partners and created the CSR Centre at Copenhagen. In the UK, a Ministry of CSR was created in March, 2000, with an inter-ministerial group to improve and develop the coordination of government action on CSR. The French government acknowledged CSR by putting certain legislative texts in place such as the Barnier Law (1995), the LOADDT (Orientation Law for Territorial Planning and Sustainable Development, 1999) and the NRE (New Regulation of Enterprise Law, 2001).

It is evident that the developed economies are more committed to CSR. Similarly, CSR initiatives have proliferated over the past two decades and it is unusual for a major corporation from a developed country not to have adopted a policy that addresses the negative social and environmental impacts of its operations and those of its supply chain (Redmond, 2012). This is because the developed economies consider the discourse of CSR as a parameter of global European strategy and, undoubtedly, more regulatory. Again, CSR is perceived by the developed economies as an element that enhances sustainable development. This was reported in the EC communication ‘Communication of the Commission concerning Corporate Social Responsibility: A contribution of

companies to sustainable development' (COM 2002:347). In a more progressive stance, CSR has been investigated in numerous ways in developed economies, such as regarding firms' ethical values and their impact on earnings management with an emphasis on sustainability (Ferns et al., 2008), care for green marketing (Dubey, 2008), environmental issues (Ford, 2007), or good corporate citizenship (Ingham, 2006), and based on the institutional perspective (Jamali and Neville, 2011). Similarly, CSR is seen as integrating social characteristics or features into products and manufacturing processes (e.g. developing environmentally friendly technologies), adopting more progressive human resource management practices (e.g. promoting employee empowerment, providing an acceptable work environment to employees), achieving higher levels of environmental performance (e.g. through recycling, adopting an aggressive stance on minimising emissions), and promoting the goals of community organisations (e.g. working closely with groups and non-profit organisations in the social sectors) (McWilliams et al., 2006). It is pertinent to note that the EC communication of July, 2002, clearly links CSR and SD, and even in the Maastricht Treaty SD was regarded as an element of major reference.

These explanations raise other concerns and questions: are there any countries amongst the developing economies that attempted to establish or create a ministry in charge of CSR? Are domestic laws and regulations guiding the activities of multinational corporations (MNCs) powerful enough to control the companies? Are there attempts to regularly meet to discuss the way forward for CSR in developing economies? How efficient and effective are the CSR policies and strategies put in place in the developing economies? To answer these questions, I will begin by saying that only a few countries within the context of developing economies are even partially serious about CSR policies, planning and implementation. The CSR regulatory frameworks in developing

countries are very weak, and there are yet to be coordinated efforts to embark on regular meetings between governments to discuss ways forward for CSR (Amao, 2008).

CSR is supported at the European level, and this was reflected by the role of CSR in addressing the employment/social consequences of economic and market integration and adapting working conditions in the economy. For example, the support was evident in the Green Paper approved by the European Council in Stockholm in July, 2001, with the following key postulations:

- (i) That all European companies should promote strategies of social responsibility while responding to environmental, social and economic challenges and pressures.

Under this, four elements were enumerated in the Green Paper. First, that CSR is a new paradigm and all citizens, investors, consumers and authorities are expected and required to implement it in order to meet up with current global and industrial trends. Secondly, there was the consideration that social criteria possess greater influence on institutional and individual investment decisions. Thirdly, there was the consideration of proliferation in the destruction caused by economic activity. Fourthly, the media transparency in modern information and communication technologies was considered.

In addition, it was founded on the research carried out by companies. This is consonant with the viewpoint of UNICE stated in the position paper of 1999 entitled 'Liberate the potential employment in Europe: the social policy at the horizon of 2000' (UNICE, 1999:161-78). Also, the Green Paper heavily depends on the programmes that were jointly organised between CSR Europe and the CSR Centre at Copenhagen at the end of the 1990s to reunite the world of business and the universities in order to identify the need for education in companies with regards to CSR.

- (ii) That the definition of European CSR should be based on business ethics.

The above heading raises some questions: first, what is business ethics? Second, is it the adoption of the business ethics paradigm by the developed nations that results in their effective CSR implementation, unlike in the developing countries? Third, what are the business ethics strategies adopted by the developed nations that enhance the practical implementation of CSR in their domains? Business ethics refers to the critical, structured examination of how people and institutions should behave in the world of commerce; in particular, it involves examining appropriate constraints on the pursuit of self-interest (for firms) and profits, when the actions of individuals or firms affect others (MacDonald, 2010). The initial principle of business ethics earlier enunciated by Bowen (1953) was further strengthened and prioritised by the movement of business ethics at the beginning of the 1960s in Europe. The business ethics movement in Europe was prominently concerned with the professional transposition of a manager's moral behaviour in which the manager is expected to be the moral agent and should also recognise the difference between economic law and moral law. In this direction, the company becomes the moral entity which also reflects that *ethics no longer bridles the company but as impulse for its development and as a personalised, autonomous and major institution* (Lipovetski, 1992).

In most developed economies, ethics become the condition of performance (Kietz, 2002). This is in line with Zairi's (2000) proposal that *given the proven impact of social responsibility on business performance and corporate image, CSR should be integrated in business excellence models*. Companies in developed countries conduct business operations in a responsible manner far beyond their legal obligations and, because of the training they have acquired, they create social dialogue to support consumers, workers and investors. In addition, the European definition of CSR has shown that the theories of business ethics are very effective in CSR implementation.

However, most developed economies subscribe to the definition of CSR used by companies in addition to the Green Paper support of the CSR definition that it is *a concept whereby companies integrate social and environmental concerns in their business operations and in their interaction with stakeholders on a voluntary basis*. This definition depicts the elements of the UNICE (1999) position paper.

In the final declaration of the European Council in Lisbon in 2000, CSR was linked to sustainable development, and the heads of states and governments called for responsibility from companies in the social domain concerning good practices related to education and training, organisation of work, equality of opportunity, social institutions and sustainable development. CSR at the level of developed economies was perceived to be a paramount component of sustainable development at the local and international levels as well as in global governance linked with commerce; investment and sustainable development are the basic questions in the debate about the CSR of developed economies. Later, in June, 2001, the European Council of Goteborg presented the European strategy for sustainable development.

In July, 2002, there was clear communication by the European commission linking CSR and sustainable development. In the EC communication, it was stated that the acceptance of CSR as a new form of social and commercial pressure continues to provide more respect and positive results to the values and activities of companies at a national, international and global level.

- (iii) Companies in the developed economies are required by host governments to communicate their social performance more clearly and to organise all CSR-related areas more coherently as corporations are moving towards *a broader sense of community* (UKBa02).

The questions that arise are: why do the governments of the developed economies insist that companies communicate their social performance and CSR-related issues? Again, are these measures beneficial only to the host governments, or to the companies as well? I will X-ray the first question by saying that the communication and clarity of CSR by companies creates a good atmosphere for understanding between host governments and companies. Again, clearer communication enables companies to categorically spell out what they are willing to offer and what the host government and communities can expect from them. The measures are embarked upon by host governments of the developed economies to inform companies that they should comprehend and recognise that their business operations have a potential impact on the community/society and also corporate behaviour impacts on their reputation, with the implication that a bad reputation could lead to loss of integrity and trust, and companies' *Lizenz zum Wirtschaften* (licence to operate) (GEIn03).

The communication and clarification of social performance and CSR issues by companies of the developed economies are not only beneficial to governments and communities/society, but to the companies themselves. The attempts by companies in developed economies to clarify and communicate their CSR notions are a motivational tool and platform for protecting and defending their reputation (UKPh07). In addition, the acceptance of social responsibilities by companies strengthens their reputation with employees, and enhances *pride and loyalty* (UKPh07). Companies' strict compliance with CSR notions is a yardstick for measuring their reputation, and gauging societal progress and development through CSR and *their ultimate assessment* (UKEn01). These associated benefits enjoyed by companies enable them to emphasise that any narrow CSR notion would be perceived as ordinary 'greenwash' by society and thus:

You can open as many schools and hospitals as you like. But if your core business is rotten, you are going to be found out by society pretty quickly.

The first and foremost action of corporate responsibility is getting the business done right. (UKEn01)

(iv) The CSR regulations

In most developed economies, apart from the institution of the Ministry of CSR and acceptance of the principles of business ethics as a parameter to drive CSR forward, there are mandatory CSR regulations in place that should be strictly adhered to by all companies. The EC confirmed the necessity not only to have CSR regulations, but also to legitimise it at the heart of European companies and to lead the regulatory mission. The EC further proceeded to state in its Green Paper that, in the developed countries where CSR regulations do not exist, efforts should be made to set up regulatory or legislative frameworks to define an equitable basis for developing responsible social practices. The EC communication 347 of 2002 confirmed the need for CSR regulations. Globalisation may result in negative effects if it goes uncontrolled and CSR public policies may assist to shape globalisation in a positive way by promoting good company practices that complement public efforts for sustainable development.

Numerous scholars (Galaskiewicz, 1991; Mellahi, 2007) have reported that negative sanctions enforced through regulation may discourage companies from acting in a socially irresponsible manner. The CSR regulatory framework is required for cooperation of companies in the developed economies, not only to enhance CSR effectiveness, but to strengthen the paradigm of business ethics. According to Lipovetski (1992), there is a *new relationship to time: business ethics* in its regulative version sees itself as the protector of the future which underlines the necessity of long-term management, to be able to ensure economic success and the growth potential of companies. In a similar vein, it is no longer feasible in the developed economies for firms to just have mission statements and codes of ethics, and instead ethics and CSR

are integrated into the cultural fabric of business as well as in the hearts and minds of its members (Mandurah et al., 2012). These were further underpinned by intellectuals in the field of business ethics. For example, Cornelius et al. (2007) asserted that *reactive ethics education in businesses is an essential component within a broader proactive framework*. They echoed that teaching of business ethics in classrooms be extended into corporations (Cornelius et al., 2007). Similarly, it was suggested that the development of ethical behaviour in managers ought to be grounded in their development as leaders, as *ethics is not something a manager 'does'; it is something that a manager is* (Cordiero, 2003).

In addition, the CSR regulatory framework underpins community actions on CSR. While proposing a community framework of CSR as a reference, the EC acts as conciliator – the regulatory agent between actors who manifest their divergent views. The EC legitimises community action in convergence of community interest, and then proposes a framework of cooperation rather than a framework of rules and assumes the role of regulator. With these developments, the European framework is seen as the place of negotiation required for good regulation (Majone, 1996).

Besides, corporations in most developed countries have adopted self-regulatory instruments covering reporting, compliance and verification. These commitments are far beyond the firms' legal obligation and the legal regulatory standards required by the legal systems of the countries where they operate. This initiative is a new form of CSR (Vogel, 2005:17–34), variously referred to as *private regulations* (Vogel, 2009), "*civil regulation* (Zadek, 2001), *regulatory standard-setting* (Abbott & Snidal, 2009), and *a new form of transnational regulation* (Abbott and Snidal, 2009a:45).

Within the ambit of CSR regulations lies international business and human rights regulation as a regulatory framework that enhances the effectiveness of CSR in developed economies and globally. Hence, there occurred *the birth of Ruggie's*

frameworks of protect, respect and remedy (Ruggie, 2011). There have been other international regulations for MNCs prior to Ruggie's frameworks, such as the International Labour Organisation (ILO), the Tripartite Declaration Concerning Multinational Enterprises and Social Policy (MNE Declaration) and the OECD Guidelines on Multinational Enterprises (OECD Guidelines). But since the approval of Ruggie's frameworks in 2011 by the United Nations Human Rights Council, no new international legal obligations have been created (Ruggie, 2011:6).

However, the responsibility of companies to respect human rights takes the form of avoiding infringement on the human rights of others, especially those affected by the activities of MNCs, addressing any negative impact that may result in their supply chain, as well as remediating it (Guiding Principles 11, 13, 21). The responsibility to respect human rights resonates with the ethical component of CSR (Carroll, 1991), which states that companies should be engaging in *what is good, just, and fair, and minimising what is wrong* within the confines of the environment in which corporations exist and operate, especially oil companies. This is similar to Ruggie's (2008:24) view that it is the responsibility of companies to avoid harm from their conduct, especially in conflict areas where its functions or operations impose obligations to protect those employees and communities affected. Even so, Ruggie (2008:23) pointed out that corporate responsibility to respect human rights does not directly emerge from international law, customary law or treaties. Instead, the responsibility is as a result of recognition and assumption of the responsibility by business expressed in ILO and OECD Guidelines in company codes and the Global Compact. This responsibility relies on social expectation where it is not underpinned by legal obligation.

For example, the labour rights with highest ranking, in spite of this, most labour rights receive little or no attention (Wright and Lehr, 2006:ix). On states holding firms accountable for breaches or violations of human rights, Redmond (2012) stresses that

there is no conceptual barrier to states holding firms directly accountable for violations of international law by imposing human rights obligations directly on firms and establishing some form of international enforcement regime.

The above literature on CSR regulations provides detailed explanations of prominent regulatory paradigms of developed countries. But are these regulations standard enough to curtail the human rights abuses of MNCs? How frequently are the MNCs held accountable by states for the violations and abuse of human rights? Are there impediments associated with CSR regulations of developed countries? There is an absolute absence of standard CSR regulations, and therefore this is an impediment as a set of corporate-related human rights standards is lacking. Similarly, the lack of a statement of the specific human rights obligations of business impedes the development of a global consensus on standards. These challenges of standard CSR regulation were highlighted by Ruggie (2006a:7–8), who stated that diverse human rights standards are referred to in corporate human rights policies, including variety, selectivity and recognition of hierarchy.

2.5.4 The perception of CSR in developed economies

Research reflects that CSR-related perceptions are context bound and indicates general disparities in the ways and manners in which CSR-related issues are conceptualised and emphasised in different contexts (Barkemeyer, 2011). For example, the survey carried out by the World Business Council for Sustainable Development (WBCSD, 2000) asked respondents from various parts of the world what CSR means to them. The respondents' responses to the survey revealed that there are considerable disparities (Frynas & Blowfield, 2006). Another example cited by Frynas and Blowfield (2005) and Holme and Watts (2000) showed that Thai and Ghanaian respondents explicated and emphasised environmental issues and community development. Also, in recent

research on the relationship between cultural elements identified by Hofstede (1980) and Hofstede and Hofstede (2005) and various types of CSR, it was evident that institutional groups and power distance are predictors of an organisation approach to CSR (House et al., 2004).

Again, the general perception of CSR is that it enhances effective and efficient strategies of addressing some of the most pressing global sustainability challenges (Blowfield & Frynas, 2005; Prieto-Carron et al., 2006; Utling, 2005). For example, Barkemeyer (2009) and Utling (2007:710) asserted that a specific CSR agenda emerges:

- (a) There is growing consensus about the range of issues that companies should be concerned with
- (b) CSR represents a particular approach to corporate regulation – one that emphasises voluntary initiatives and self-regulation.

However, arguments have prevailed that CSR in developing economies (Northern) differs from CSR in developed economies (Southern). Again, there are numerous scholarly criticisms about CSR bias blends that CSR was conceptualised and operationalised in developed economies. In addition, it has also been argued that CSR programmes are shaped by Northern countries with a clear lack of participation and involvement of developing countries (Blowfield, 2003; Fox, 2004; Fox et al., 2002; Utling, 2001; Ward, 2004; Ward and Fox, 2002). It is worth noting that it was suggested that an overemphasis of Northern perception and interests at the expense of Southern concerns can be observed (Kirkby et al., 1995; Redclift, 2005; Robinson, 2004). Northern MNCs are the key drivers of global dissemination of contemporary CSR through foreign operations and supply chains (Newell and Muro, 2006). This is evident not only from the actions of the Northern companies, but through numerous normative challenges and pressures. Nonetheless, the critical question is: what are the peculiarities

of CSR in developed economies? The solution to this question begins with the fact that the CSR of developed economies prioritises socioeconomic sustainability or primarily development-related issues.

For example, the CSR priorities of the developed economies identified as socioeconomic sustainability were explicated in Barkemeyer (2011), who demonstrated in a study of sustainability challenges in developed and developing countries that *a significant divide emerged between respondents from the global North and South in terms of respective corporate contributions to sustainability challenges*.

The CSR comparison of developing and developed countries' responses mirrored the fact that environmental challenges except soil erosion and water pollution reached similar levels in the subsamples, while developing economies' scores on socioeconomic issues were significantly lower compared to developed economies' subsamples (Barkemeyer, 2011). This, therefore, implies that CSR of developed economies is prone to socioeconomic issues of sustainability. The socioeconomic CSR priority of the developed economies is considered as a bias against the environmental emphasis of the North, although it was also argued that the bias towards environmental issues in sustainability may impact the general contribution of CSR to sustainable development in the global South (Newell and Muro, 2006).

In further considering the perception of CSR in developed economies, it would be wrong to avoid discussions of (i) the CSR perception of MNCs, (ii) stakeholder perception of CSR in developed economies and definition of business ethics, and (iii) scholarly perception of CSR in developed economies.

Let me commence with the CSR perception of MNCs' initiatives in developed economies. MNCs operating in developed economies strongly believe that their CSR programmes must match the local understanding of legitimacy or else this could lead to failure and misallocation of resources. The developed economies MNCs assume that, if

their actions are perceived as legitimate and locally very relevant, it will be easier to achieve their aims and / or objectives. Hence, the MNCs consider it paramount to understand and recognise how they can reflect the values, norms and socially acceptable local practices of the community/society in which they operate (Rosenzweig and Singh, 1991:345). MNCs operating in developed economies prominently consider the implications of taking mismatched uninformed decisions that are based on illegitimate perceptions of CSR and will be detrimental to achieving corporate objectives.

Over the years, research has mirrored European studies, finding that MNCs' perception of CSR has changed internationally (Silberhon and Warren, 2007). For example, Moore and Richardson (1987) observed that economic responsibility receives greater emphasis in the UK, with priorities placed on production of goods and services and strict compliance with the law, and that there is a shift from philanthropy. Also, Dierkes (1980) and Longnecker (1985) asserted that in Germany quality, profit and growth are emphasised the most and issues related to quality of life continue to be paramount. On the other hand, Pinkston (1991) revealed that in Germany and Sweden the legal responsibility of CSR is the highest-ranking CSR component. And in the USA, according to Pinkston (1991), legal and ethical responsibilities were the most significant component of CSR. In addition, Carroll and Pinkston (1996) further underpin the assertion that economic and legal responsibilities are perceived to be paramount, and that ethical responsibilities become more important at the expense of philanthropic responsibilities.

These developments of economic and legal responsibilities becoming a minimum threshold of CSR while ethical responsibilities gain more importance and recognition imply that Carroll's (1979) four-part component of CSR is questionable and possibly inadequate. Even though Carroll's four-part component is the most widely used (Crane and Matten, 2004), the framework cannot withstand the change and recognition of

ethical and philanthropic responsibilities in which the *greatest magnitude of MNCs social responsibility* falls (Pinston and Carroll, 1996:205; Visser et al., 2005). The investigation of the current CSR notion examining qualitative corporate perception of CSR exemplified by O'Dwyer (2003), who adopts a normative societal approach to interpret CSR in line with the corporate goals of shareholder wealth maximisation. According to him, proactive enlightened self-interest, reactive enlightened self-interest and obligations/duties are reasons for acceptance of corporate responsibilities.

On stakeholder perception of CSR in developed economies, it is very clear that the stakeholders of the developed economies are more integrated in CSR. For example, the CSR decision process is dominated by the developed economies and the international organisations within the developed economies such as the International Monetary Fund (IMF), the World Bank and other international donor organisations. The major areas explored in CSR include governance via power relations and communication dissemination within international organisations. Another example of the governance perspective related to international organisations includes the UN Global Compact that engages in the promotion of dialogue between companies and global stakeholders. The UN Global Compact, among other international organisations, helps to address a range of development-related issues.

Scholars recently investigated the perception of CSR across the internet (Esrock and Leichty, 1998; Esrock and Leichty, 2000; Magnan and Railston, 2002; Snider et al., 2003) that CSR addresses stakeholder groups and it varies between companies and countries. For example, CSR was perceived by Magnan and Ralston (2002) as consisting of principles, processes and stakeholder issues and underlying motivations, according to their reports in four countries. In addition, they also perceived CSR reporting and motivation to be made up of performance-driven, stakeholder-driven and value-driven aspects. A similar perception of CSR consisting of principles and

processes is evident in Wood (1991), whose perception of CSR reveals the configuration of principles and processes that minimise a firm's negative impact and maximise its positive impact on specific shareholder issues. According to Silberhoh and Warren (2007), CSR process is the design of the managerial procedures and instruments employed by businesses to bring their motivational principles into practice.

However, let us emphasise the second aspect of the scholarly views by Magnan and Ralston (2002) on CSR perception of reporting and motivation via performance-driven. For example, they stated in their interviews and content analysis of how CSR is understood in UK and German companies that it is very clear that performance-driven were the most prominent motivating principles behind CSR, followed by corporate values, and lastly response to stakeholder pressure. Also their investigation revealed that UK and German companies favour the performance-driven perspective over the value-driven and stakeholder-driven perspectives, although the value-driven perception of CSR is emphasised slightly more by German companies than UK companies. But UK companies emphasised the performance-driven perspective more than German companies (Magnan and Ralston, 2002).

On the value-driven perspective, Silberhoh and Warren (2007) asserted that there is cross-national agreement with respect to the importance of quality of life affairs and environmental protection in the UK and Germany. While UK companies emphasised education, health, human rights and animal welfare more than German companies, in contrast, German companies emphasised cultural diversity more, in particular arts and culture.

On stakeholder issues: in the developed economies, stakeholder initiatives are the *leitmotif* in global governance and international CSR, which provide better results than the traditional CSR regulations (Gouldson and Bebbington, 2007; Haas, 2004; Oetzel and Doh, 2009; Ruggie, 2004), even though it is evident in recent academic literature

that, in some developed economies, the needs and interests of stakeholders' initiatives are not fully integrated (Biermann et al., 2007; Schepers, 2006). For example, UK companies are more proactive in ensuring equal opportunity, especially on health and safety. Also, UK companies are more inclined to pay attention to stakeholder groups, whereas German companies recurrently emphasise learning and development and employee care. On the other hand, neither UK nor German companies much emphasise issues relating to affairs of either shareholders or suppliers (Silberhohn and Warren, 2007).

2.5.5 The challenges of CSR in developed economies

The challenges of CSR in developed economies begin with the claims by companies that they are in business for profit and for social purposes. The question now is: how realistic are the claims by the companies? To a large extent, the propositions by companies combining the claims of profit and social purpose are in conflict. Kanami (2010) stressed that in circumstances where profits and social welfare are in direct opposition, an appeal for CSR will be ineffective, as executives of companies are unlikely to act voluntarily in the public interest against shareholder interest. One example is the pollution caused by oil companies in the process of oil exploration. Reducing such pollution by oil companies would be very expensive. In this instance, is there justification for the claims by companies that they are in business to make profit and serve social purposes?

Researchers have proved beyond reasonable doubt the potential strategic benefits of CSR (Abbott and Monsen, 1979; Bragdon and Marlin, 1979; Graven and Waddock, 1994; Moskowicz, 1972; Spencer and Taylor, 1987; Waddock and Graves, 1997). Similarly, extensive and significant efforts have been made to understand the impact of CSR on organisational performance (Husted and Allen, 2000; Husted and Salazar,

2006; Maron, 2006; McWilliams and Siegel, 2001; Moneva et al., 2007; Orlitzky et al., 2003; Salzman et al., 2005; Schuler and Cording, 2006; Swanson, 1995, 1999; Waddock Graves, 1997; Windsor, 2001; Wood, 1991; Wood and Jones, 1995; Wright and Ferris, 1997). In addition, most scholars and managers in the developed economies are yet to compromise on how CSR affects organisational performance (Husted & Allen, 2007; Margolis and Walsh, 2003; Orlitzky et al., 2003); they have disagreed, for example, on whether CSR has a positive, negative or neutral impact on organisational performance (Margolis and Walsh, 2001; Orlitzky et al., 2003; Wright and Ferris, 1997). Studies have reported a negative relationship (Vance, 1975), or no significant relationship (Aupperle, et al., 1985; Davidson and Worrell, 1990; McGuire et al., 1988; Preston, 1978) between CSR and organisational performance. This state of affairs is a challenge to the progress of CSR in developed economies.

2.6 Corporate social responsibility and human rights of multinational oil corporations (MNOCs) in developing economies

2.6.1 Introduction

This section reviews CSR and human rights of MNOCs in developing economies. It begins with the meaning and characteristics of MNOCs. Then it follows CSR and MNCs in developing economies. It also highlights human rights and MNOCs in developing economies and Ruggie's frameworks on human rights of transnational companies (TNCs) and other business enterprises.

2.6.2 Meanings and characteristics of multinational corporations

The term multinational corporation has been variously defined. Raid et al. (2006) concluded that there is no formal definition of multinational corporations. David E. Lilienthal, in April, 1960, was the first to coin the term 'multinational corporations' as corporations which have their home in one country but which operate under the laws

and customs of other countries. Subsequently, a plethora of meanings and other terms for multinational corporations began to emerge. For example, a multinational is referred to by terms such as multinational corporation (MNC), and multinational enterprise (MNE), and the United Nations uniquely refers to it as a transnational company (TNC) or a transnational enterprise (TNE).

UNCTAD (2004b) defined a TNC as an enterprise that controls the assets of other entities in economies other than its home economy, usually by owning a certain equity capital stake. An equity capital stake of 10% or more of the ordinary shares of voting power for an incorporated enterprise, or the equivalent for an unincorporated enterprise, is normally considered a threshold for the control of assets.

Caves (1982:25) defined an MNE as *an enterprise that controls and manages a production establishment – a plant – located in at least two countries.*

The renowned author of the World Directory of Multinational Enterprise John H. Dunning in 1982 provided a broad definition of an MNE as one that *owns and controls value-activities in more than one country.* However, Bavishi (1982:161) suggested three criteria that qualify a firm to be called an MNC. Firstly, it must engage in foreign sales, secondly, it must source its income abroad and, thirdly, it must possess foreign assets. He further suggested number of active foreign subsidiaries, percentage of common share owned by foreign-based shareholders, number of employees abroad and other criteria.

Daniels (1982:569) distinguished between the MNC and the (transnational) TNC. According to him, the multinational possesses an integrated philosophy towards the home country and overseas operations, whilst he has a narrow view of the TNC as a company owned and managed by nationals in a different country. However, Ruth et al. (1999) synthesised characteristics that define an MNC to include:

- Number of countries in which a company is operating

- Number of countries in which a firm makes products/services
- Composition of management operating the firm, both in terms of nationality and outlook
- Financial performance: absolute to relative share of assets, employees and sales in foreign country in significant portion.

It is pertinent to state specifically that for this research literature I will use the terms MNC, MNE, TNE or TNC, and multinational oil corporation (MNOC) interchangeably within the context.

2.6.3 Corporate social responsibility and MNCs in developing economies

Corporate social responsibility (CSR) is about the operation of business in a manner that meets or exceeds the ethical, legal, commercial and public expectations that society has of business (Muruganantham, 2010). The developing economies, also known as ‘developing countries’, ‘emerging economies’, ‘emerging market systems’, and ‘emerging markets’, hold the majority of the world’s proven oil reserves, and therefore remain a powerful and strong home for multinational oil companies. In developing economies, CSR of multinational corporations has the potential to contribute positively to addressing the needs of communities (Ite, 2004). This assertion was underpinned in the economic development model of Rostow (1960), who stated that investment from abroad can *prime the pump* for developing countries. MNCs are viewed as benign engines of prosperity (Stopfold, 1998). MNCs in developing countries are expected to positively impact on communities through CSR initiatives for sustainable economic development (Hopkins, 2001). This is because there is potential inherent in CSR of multinational corporations in developing countries in these directions. First, the CSR of MNCs, especially foreign direct investment (FDI), has enormous potential to generate employment, raise productivity, transfer skills and technology, enhance exports and

contribute to the long-term economic development of developing countries (UNCTAD, 2003). Second, MNCs, through CSR, can infuse money into the economy of developing countries to supplement or free up government revenue and assist in providing funds for development (UNCTAD, 2003). Thirdly, CSR from MNOCs can facilitate the economic growth and economic health of the private sectors in developing countries (UNCTAD, 2003). However, these prospects will be more realistic only if MNCs are highly committed and strictly integrate CSR paradigms into their operational policies and strategies.

For example, in India, Tata Group, an Indian-based indigenous multinational enterprise with a special 140-year commitment to the community has been the pioneer in India for CSR activities. In spite of the 2008–2009 global recession, the Tata Group led in terms of economic value creation in 2008–2009; the Group accrued gross profit of US\$70.8 billion in revenues. However, 64.7% of the Group's revenues accrued from outside India. The Tata Group explored value-creation, leadership, ethics and sustainable development with the backdrop of rapid internationalisation and shifting stakeholder expectations for CSR (Branzei, 2010).

According to Sathish (2010), CSR has gone a long way in India and changed the standard from responsive activities to sustainable initiatives. He contended that MNOCs have exhibited a significant contribution to improve the overall quality of life of the people. Sathish explained that MNCs have possessed the expertise, strategic thinking, human resource and financial resources to enhance extensive social change through effective partnerships with other companies, NGOs and the government to aid Indian's social development at an increasing rate of growth.

From the above, we are able to comprehend some of the diverse potential that may accrue to developing countries as a result of the presence of MNOCs. But striking questions remain: is CSR of MNCs effective in all the developing countries? Are there

challenges associated with the presence of MNCs in communities in developing countries? Are the operations of MNCs in developing countries aimed at protecting their own interests or the interests of the developing countries?

Finding the answers to these questions begins in understanding that the effectiveness of CSR initiatives of MNCs in developing countries has been increasingly questioned (Frynas, 2005). The MNCs are paramount for economic development, especially in resource-rich countries such as Nigeria, but their interactions with developing countries are yet to be understood (Wiig and Kolstad, 2010). 'MNCs' are in fact a euphemism for the expansion of America's giant oligopolistic corporations (Gilpin, 1987). The CSR of MNCs in developing economies has caused social, economic and political harm (Ite, 2004). The North–South model, otherwise referred to as the development of underdevelopment, dependency theory, or the North–South debate, is the second paradigm on activities of MNCs. The theory signifies the negative effects of the presence of MNCs in developing economies. Proponents of the North–South model have argued that socially irresponsible behaviour driven by the profit motive and exploitation by MNCs does not provide benefits to developing economies as outlined by Rostow, and therefore described Rostow as a *Great Legitimiser* and a *Social Science Mandarin* (Horowitz, 1972).

In Nigeria's Niger Delta communities, the value of CSR is in question as critics, communities and stakeholders increasingly provide incontrovertible evidence of gaps between what Shell Petroleum Development Company touts as CSR and its impact on the ground (Frynas, 2000). In addition, Shell (SPDC) has been accused of exaggerating its green credentials and the difference between its CSR and reality (Agbonifo, 2011). Bariara Kpalap (2011) argued that Shell has weak responsibility to communities and that a public water project in Terabor, Gbokana, collapsed in the 1990s as a result of

poor execution. Instead of Shell reactivating it, Shell sank a borehole directly opposite it. The borehole was not properly executed and could not serve its intended purpose.

Shell in Nigeria has generated civil conflicts in the Niger Delta. Bechtel in Bolivia sued the government of Bolivia over cancellation of a water contract for the city of Cochabamba. Union Carbide's gas leak killed thousands in 1994 in Bhopal, India, and the cases are still being litigated. Chevron / Texaco was sued in Ecuador by indigenous Amazon rainforest people for environmental damages (UNCTAD, 2003:104–105).

In spite of MNCs' exploitative nature, they are always successful because of their financial muscle (Rugman, 1985). It is not in the character of MNCs to solve the social, economic or political problems of the host countries (Ozoigbo and Chukuezi, 2011). They are accidental participants in the development process of developing countries. Omonide (1982) described MNCs as monsters that have consistently and systematically stultified economic development in various parts of the world. MNCs take away most of their benefits from developing countries. For example, Sony Corporation left West Java, Indonesia, due to a poor business climate. Anglo-American, a mining company, withdrew copper investments from Zambia as a restructuring strategy. Emerging-market Asian countries were afraid that China would attract their investments.

MNCs are not agents of development, but, rather, are profit seekers (Gilpin, 1987). MNCs drain profit from developing countries and redistribute it to shareholders, or reinvest it in another country for other investments, or for expansion of existing business in another country, thereby hampering the developing nation in terms of potential investment capital (Paul & Barbato, 1985). In a similar vein, critical literature about MNCs has been developed by Amin (1974), Bagley (1975), Barnett and Muller (1974), Frank (1969), Scheer (1975), Vernon (1971) and Wallerstein (1974), asserting

that MNCs are well connected and strong, and that they threaten the sovereignty of nations and destabilise the economy of developing countries.

Politically, MNCs have long been associated with political power (Spar, 1999). For example, the political instability resulting in some developing countries from the actions of MNCs was evident in the case of Zaire and Burkina Faso. President Mobutu of Zaire was in power for a long time because of his close ties with MNCs who used the country as a base to drain Zaire's economy; President Thomas Sankara of Burkina Faso had a short term, and was assassinated because of his distant relationship with MNCs who were not allowed to continue with exploitation.

2.6.4 Human rights and MNOCs in developing economies

Human rights involve recognition and respect for people's dignity, and are a set of moral and legal guidelines that promote and protect recognition of values, identity and ability to ensure an adequate standard of living. Human rights are the basic standards by which we can identify and measure inequality and fairness, and those rights associated with the universal declaration of human rights (AHRC, 1986). It has been presumed by scholars and analysts that any link between human rights and foreign investment is either negative or irrelevant. Firms, by contrast, have argued that human rights are for government policy, not a business concern. Yet, on both sides, the precise link between foreign investment and human rights is poorly understood (Spar, 1999). From a position of relative obscurity, the investment of MNOCs can spur economic activities in developing countries and provide an opportunity to improve quality of life, economic growth, regional and global contributions. But at the same time, they are frequently accused of destructive activities such as complicity in human rights abuses (Ijjasz-Vasquez and Litvin, 2003). The human rights repercussions of MNOCs are increasingly gaining international attention, which focuses on the effects of oil exploration on human rights. According to Nazi (2011), MNOCs affect the host country's inhabitants and their

human rights, especially in developing countries, since their countries of origin assume no responsibility. Low wages, bad working conditions, unfair hours, and lack of job security are some of the numerous effects that result from activities of MNOCs.

For instance, Amnesty International (2004) found that civil, political, economic, social and cultural rights are being abused and violated in the process of oil exploration and production in the Niger Delta. Amnesty surmised that the violation and abuse of human rights resulted in increased violence and instability in the Niger Delta. According to Amnesty, social and economic rights remain problematic for Nigerians, specifically those residing in communities of the Niger Delta. Portman and Seidler (2002) and Abe (2014) argued that holding corporations accountable for their atrocities is yet to be a reality, especially concerning human rights. Reports and studies conducted in the Niger Delta reveal dangerous effects of oil exploration in the communities.

In 2004, Amnesty revealed that Ogoni farmlands had become isolated, and flares from gas flow stations were not adequately controlled and often located very close to residential neighbouring villages where children were found playing around the oil pipes and installations. Pipelines were routinely laid on the surface across thousands of acres of land depriving the indigenous people of the right to farm their land. Farm owners caught engaging in farming activities near the pipelines were arrested and tortured and sometimes shot by supernumerary policemen who were recruited and trained by the Nigerian police but paid by the oil companies.

Another example, from February, 2012, saw civil society groups present a report sponsored by Cordaid on SPDC's social and environmental impacts on the Niger Delta communities to the Ecumenical Council for Corporate Responsibility. At the report's core are five case studies commissioned from civil society groups, with the focus on the

corporate duty to respect human rights – to *do no harm*. The report concluded with urgent recommendations for:

- an end to gas flaring and provision of sustainable drinking water for communities
- a major environmental audit and rehabilitation programme
- replacement of ageing pipelines
- continuous staff human rights training
- effective social and environmental impact assessments
- greater respect for principles of open dialogue and community consent
- independent monitoring and effective grievance mechanisms
- a participatory approach to community development
- disaggregated revenue and expenditure transparency
- linking senior staff remuneration to progress on human rights and environmental issues.

The questions are: can these recommendations be strictly adhered to by Shell Petroleum Development Company and other MNOCs exploring and exploiting oil in the Niger Delta? Do MNCS enhance the resource curse paradox in developing countries? Is it only in the Niger Delta region that ruthless acts of human rights violations and abuses by MNOCs are evident, or are they also seen in other oil-rich countries in the developing economies? Are these ruthless acts of MNOCs supported by the governments of the developing world? Do the MNOCs support repressive regimes in developing countries?

To answer these questions, I will observe the arguments by Shaw (2003) that *the responsibilities of TNCs under international law remain a grey area. Its contours are undefined and its course is partially uncharted*. Shell and other MNCs in the Niger Delta continue to negotiate without an end to the tragedies. The TNCs are difficult to

deal with, and international laws are too soft and sometimes difficult to enforce, especially against MNOCs. There is an obvious lack of binding international human rights laws and absence of mandatory international environmental obligations on TNCs (Kingston, 2011). MNCs are described as *modern day Gullivers on the rampage, waging an ecological war wherever they set down their oil rig*, and in most cases are not accountable to any government and therefore at liberty to violate human rights with impunity (Nnanna, 2006).

On the resource curse thesis of MNCs in developing countries: MNOCs operating in Nigeria have received scathing criticism for the poverty and crises in the Niger Delta region (Ekenedirichukwu, 2011:61-71). Today, Niger Delta communities are identified as victims of impoverishment, conflict, human rights abuses and inadequate standards of living (including the right to food and water) (UN, 2002:9). But in spite of these unfortunate scenarios, the Nigerian government is unable to hold the multinational oil corporations accountable for environmental degradation and pollution caused in their supply chain. Why does this happen? Is it because the multinational corporations are more influential and powerful than the Nigerian government? Or because the Nigerian laws that regulate the activities of multinational corporations are weak? Or because the internationally agreed laws guarantee their ability to commit human rights violations with impunity? Answers to these questions will be discussed in the subsequent sub-theme.

On the subject of these excesses of multinational corporations in the resource curse paradox and human rights violation, it was emphasised by Audrey Gaughram of Amnesty International that *multinational oil corporations do not adequately prevent environmental damage and they fail to properly address the devastating impact that their bad practice has on the people's lives*.

In addition, the United Nations Development Programme (UNDP, 2002:9) reveals that the Niger Delta region is suffering from *administrative neglect, crumbling social infrastructure and services, high unemployment, social deprivation, abject poverty, filth and squalor, and endemic conflict*. The UNDP (2004:1) concludes that poverty and its contrast with the wealth generated by oil becomes one of the world's starkest and most disturbing examples of the *resource curse*.

However, most governments in developing countries take a relatively narrow approach in managing multinational corporations and human rights (Ruggie, 2008). In most of the oil-rich developing economies, government security forces used force to suppress local protesters against the operation of multinational oil corporations, which results in violence (Mack, 2000). For example, in the Niger Delta region of Nigeria, in May, 1998, two youths were killed on Chevron's parable platform by Nigerian security forces who were transported to the platform by the company in order to disperse 200 protesters (Human Rights Watch, 1999). These acts of human rights violations are perpetrated not only in the Nigerian context, but also in other oil-rich developing countries where most governments are silent over the multinational oil corporations' violation of human rights abuses, such as Sudan. In Sudan, Christian Aid (2001), the Canadian government, Amnesty International and NGOs have reported allegations of violent human rights abuses committed by Sudanese government forces and their allied military units within and near the oil-producing South of Sudan.

It is pertinent to note that the abuse and violations of human rights of this nature are prominent reasons for the establishment of the office of the United Nations High Commissioner for Human Rights headed by Professor John Ruggie to address a range of significant legal and policy innovations in the field of business and human rights by states, business and civil society.

However, MNOCs support repressive and oppressive regimes in developing countries. The repressive activities are repugnant to human rights, natural justice, equity and good conscience. The repressive activities of MNOCs in Nigeria were criticised by Shah (2010) who contended that there is a symbiotic relationship between the military dictatorship and the multinational companies who grease the palms of those who rule; they are assassins in foreign lands, they drill and they kill in Nigeria.

For example, Bacon and Damu (2006:2) explained that *the hanging of Ken Saro-Wiwa remains an indelible mark and stigma on Royal Dutch Shell*; the case has been under litigation in San Francisco, CA since 20th November, 1995. Saro-Wiwa and others were hanged because they contested lack of SD and infrastructural facilities such as schools, health and medical centres, portable drinking water, good roads and electricity, and they demanded that Shell clean up the polluted environment and utilise part of their oil revenue to raise the standard of living of the people. At a protest rally in the previous year, four Ogoni politicians, former MOSOP leaders who disagreed with Saro-Wiwa, were killed. The government used this as a pretext for imprisoning Saro-Wiwa and other MOSOP leaders to whom he was allied. They were held without charge from mid-1994 to June, 1995, and were declared prisoners of conscience by Amnesty International. They were tried in a judicial proceeding outside the Nigerian judicial system, convicted and hanged (Bacon and Damu, 2006:2).

According to Bacon and Damu (2006:2):

Oil rules Nigeria, and, therefore, challenging Shell and oil monopolies is always a dangerous business, especially in Nigeria.

Having understood the above explanations, the question that arises is: can MNOCs be sued for violation and abuse of international human rights? The answer to this question

is explicit in the case of Charles Wiwa and others vs Shell Petroleum Development Company in Nigeria and Kiobel vs Royal Dutch Petroleum, a case decided at the United State Supreme Court (CCR, 2009:1):

To begin, Wiwa fled Nigeria in 1996 following a crackdown on protests against Shell's oil operations in the Niger Delta. He and other natives of the oil-rich Ogoni region claim Shell was eager to stop protests in the area and was complicit in Nigerian government actions that included fatal shootings, rapes, beatings, arrests and property destruction (The Guardian, 28th February 2012, p.1):

US Supreme Court judges will hear arguments Tuesday, Feb. 28, 2012, over the reach of the Alien Tort Statute and a 20-year-old law that allows victims of torture to pursue civil lawsuits against the responsible individuals...

The US Supreme Court heard arguments on Tuesday to determine whether corporations can be held legally responsible for their involvement in international human rights abuses. The Court's decision could have widespread implications on corporate person-hood and liability in regards to corporate complicity in violations of international law.

The case in question, Kiobel Vs Royal Dutch Petroleum, involves 12 plaintiffs who claim the oil corporation, commonly known as Shell, aided and abetted the Nigerian government to arrest, detain, and torture Nigerians living in the Ogoni region of the Niger Delta in the 1990s.

The plaintiffs represent a group of nine Nigerians who were allegedly detained, tortured, and tried in a special military tribunal and later executed for their nonviolent opposition to the environmental degradation caused by Shell. The plaintiffs believe Shell bribed witnesses in the case and the trials were widely

condemned for violating international fair trial standards. The Supreme Court agreed to hear the case after the Second Circuit Court of Appeals issued a surprising decision in 2010 stating that Shell could not be sued because corporations were not subject to international human rights law, despite dozens of previous lawsuits filed against MNCs for complicity in human rights violations abroad.

Evidence also revealed critical assistance of MNOCs to the oppressive military regime to significantly expand oil production in Burma (a developing country) to facilitate purchase of weapons used by the military junta against its people (O'Rourke, 2012:1). Michele Bohana, the director of the Washington-DC-based Institute for Asian Democracy, has averred that *these foreign investments directly support the illegitimate military junta of Burma. The government is bankrupt. They have to get foreign exchange to survive.* The military junta in Burma depended on the presence of MNCs such as Amoco, Unocal, Texaco, Royal Dutch Shell, Petro-Canada and Idemitsu to gain international legitimacy and to fend off proposed international economic sanctions. These assertions were further emphasised in the multinational corporate capitalism by Hymer (1971:113-140) who argued that there:

lies a pattern of dual development that inhibits the progress of human rights in the host countries of the developing world. To maintain their system of financial dominance, multinationals must keep the poorest segments of the world's population "under control," unable to rise up against the inequities of this system. For this control, multinationals support repressive regimes in the developing world, and repressive regimes actively solicit the capital and connections associated with foreign direct investment. In the process, human rights are held at bay, as the masses of the developing world become a source of cheap labour for multinational factories.

Similarly, it was evident in Lee and Shalmon (2008:118) that the United States directly (to the rebel group UNITA) and indirectly (through its oil companies to the Angolan government) provided funds to both sides in Angola's decade-long civil war.

The debate for and against the CSR / human rights of MNCs generated heat, controversy and contradictions; these suggest some questions: how do we regulate the human rights of transnational corporations in line with the global challenges? Did international organisations such as the United Nations contribute to curtailing the human rights atrocities of MNCs and other businesses in host countries in line with global challenges? The answer to these questions is simply – Ruggie's frameworks.

2.6.5 Ruggie's frameworks: the UN's position on business and human rights

The concern that global business practices would affect human rights in all facets drove the United Nations to appoint Professor John Ruggie as High Commissioner for Human Rights, charged with the responsibility of enhancing and promoting business and human rights. Inclusive in the responsibility is the promotion of state duty to protect, prevent and sanction corporate abuse of human rights, the corporate responsibility to respect human rights in their operation process, and the need to establish a pattern of expressing negative perceptions and accountability procedures for addressing and redressing abuses (UNHCHR, 2007).

Other prominent areas in the promotion of business and human rights include private investment agreements between investors and host countries. In these agreements, effort was intensified to evaluate whether and to what level various stabilisation provisions in the accords could deprive the state of its ability to comply with international human rights obligations, and, while this is accomplished, the need to target a legitimate balance for investors and the government is another priority. In addition, the second area of the agreement focuses on examining the transparency or absence of arbitration

processes in respect of disputes that concern human rights and other public policy matters (UNHCHR, 2007).

2.6.6 Ruggie on human rights of transnational corporations and other business enterprises

The concern and comprehension by the United Nations that global business regulations could affect human rights practices set the tone for the Special Procedures of the United Nations Human Rights Council to appoint John Ruggie. According to Ruggie, there is an imbalance between the scope of the market and business organisations, and the capacity of business to protect and enhance the key values of social community. Thus, these circumstances triggered the imbalances that can only be ameliorated by integrating the world market with shared values and institutional practices (Ruggie, 2008).

The achievement of the imbalances was targeted through a framework proposed by Ruggie in June 2008, and was endorsed by the Human Rights Council in June, 2011, with key principles. Ruggie's frameworks rest upon what he termed *differentiated but complementary responsibilities* (United Nations, 2008a, para, 9).

- **The first principle**

This reflects the responsibility of the state to protect against human rights abuses by third parties, including business. The obligation to prevent human rights violations falls within the jurisdiction of the state, and, therefore, the state and TNCs should respect human rights within the framework of internationally acclaimed human rights. For this, it is sufficient for a state to understand that, while engaging in business, especially with MNCs, it should take into consideration the human rights aspect when endorsing accords and investment treaties, such as granting export credit and investment guarantees for international projects, especially where it is certain that the associated human rights risks are greater (Ruggie, 2008).

Ruggie was mandated to operationalise the framework, to provide practical recommendations and guide the states, businesses and related social actors in the implementation process. This aspect of the mandate was implemented in Canada's transaction of export credit agency news where a 'Statement on Human Rights' was made, and it was agreed upon that the office of the UN High Commissioner for Human Rights should guide the approach to assessing human rights. Also, the significance of the framework was implicit in the United Kingdom's National Contact Point (NCP) for the Organisation for Economic Cooperation and Development Guidelines for multinational corporation discovered a company that fail to exercise human rights due diligence. To comply with the directive of the Office of the Special Representative of the UNHCR, they suddenly drew the attention of the company to the report and a recommendation was made to the company to implement effective CSR policy (A/HRC/11/13:3).

It is worth noting that the state duty to protect was grounded in international human rights with two main paradigms. First was strict adherence to the human rights of a person without violation, and second was facilitation of access to rights to the rightsholders. Rightsholders include businesses and private parties. Although states are not held accountable for corporate human rights abuses (A/HRC/11/13:7), they should encourage businesses to establish standard codes of conduct to inculcate human rights, labour and workplace standards and anti-discrimination in the employment process.

For example, in the Niger Delta region of Nigeria, there are gross complaints by the communities against the oil companies on appropriation or unremunerated use of community or family resources, health problems or damage to fishing, hunting or cultivation attributed to oil spills or gas flares, and other operations leading to a loss of livelihood. Complaints are also made about the oil company's failure to employ sufficient local people in their operations or to generate benefits for local communities

from the profits that they make (Human Rights Watch, 1999). It is the duty of the Nigerian state to protect the rights of the Niger Delta communities in these circumstances, even though the Nigerian state ought to have integrated the oil company's policies on CSR or encouraged oil companies to establish codes of conduct on employment of members of the communities to enhance peaceful coexistence amongst them.

The state duty to protect human rights and the rights of others encapsulate the ability of the state to develop or introduce CSR policy programmes, to do all it can within its means to ensure that multinational corporations within its ambit, operating across and within its national boundaries, are not perpetrators of human rights violations. Finally, corporate law, investment and trade agreements, and international cooperation, especially in areas of conflict, are integrated within the confines of the state duty to protect human rights and the rights of others (A/HRC/4/35; A/HRC/8/5/Add.1; CERD/C/UAS/CO/6/2008).

- **The second principle**

This is the corporate responsibility to respect human rights and avoid harm, complying with laws and existing social expectations to gain social licence to operate. The obligation for transnational corporations under the Organisation for Economic Cooperation and Development (OECD) is in line with Ruggie's frameworks (Cemic, 2012). Other prominent giant business organisations that have embraced Ruggie's frameworks include the International Chamber of Commerce (ICC), International Organisation of Employers (IOE), International Council of Mining and Metals, Business Leaders' Initiative on Human Rights, ExxonMobil, Civil Society Groups, NGOs, Academicians, Media, and numerous others that have passed positive comments about the new initiatives (A/HRC/11/13:13).

The corporate responsibility to respect human rights combines four key elements of human rights due diligence, consisting of possessing a human rights policy, evaluating human rights impacts on company activities, integrating the values and findings into corporate cultures and management systems, and tracking and reporting performance (A/HRC/11/13:14).

The corporate responsibility to respect human rights can be classified into two: Responsibility to respect and due diligence

A. Responsibility to respect

MNOCs face practical issues and challenges in the course of exercising the responsibility to respect human rights. Demystification of human rights is the first challenge that could emerge. This entails the corporations understanding the human rights concept clearly and precisely. It may take some corporations a while to acquaint themselves with human rights paradigms (A/HRC/11/13:15) while other corporations might easily comprehend all human rights issues without delay.

Demonstration of positive acts is another challenge. MNOCs may find it difficult to institute internal human rights due diligence mechanisms, otherwise known as informal judicial mechanisms set up at the company level to facilitate settlement of issues between it and victims of human rights violations in the course of their operations and thus avoid formal judicial proceedings. This strategy provides an avenue to promoting strong human relationships between the MNOCs and communities where they operate, but it often proves difficult to implement (A/HRC/11/13:16).

Apart from compliance with human rights laws, MNOCs are expected to demonstrate positive contributions towards promotion of human rights. These they can achieve through joint execution of human-rights-related projects such as voluntary principles on security and human rights within their domains, and respecting human rights throughout their operations and relationships. Thus, most MNOCs perceive these as additional

responsibilities that do not contribute to achievement of their primary objectives (A/HRC/11/13:16).

In addition, it is often a nightmare for MNOCs to comply with both national and international laws on human rights, especially where the laws are contradictory. The demands of national law on human rights on MNOCs may be quite different with the requirements of international laws leaving the multinational corporations in a state of disquiet on human rights issues (A/HRC/11/13:17).

B. Due diligence

According to A/HRC/11/13:18, due diligence is defined as diligence reasonably expected from, and ordinarily exercised by, a person or a group or company who seek to satisfy a legal requirement or to discharge an obligation. But Ruggie (2008) provided a version of another definition of due diligence as *a comprehensive, proactive attempt to uncover human rights risks, actual and potential, over the entire life cycle of a project or human activity, with the aim of avoiding and mitigating those risks*. He averred that due diligence assists MNOCs and businesses to become aware of, prevent, and mitigate adverse human rights impacts to *avoid infringing on the rights of others*.

- **The third principle**

This concerns the need for more effective access to remedies for victims of human rights abuses involving companies. It thus juxtaposes disputes of human rights effects of corporations and the ability of the victims to seek redress. Although it is easy and possible to seek redress in a law court on human rights abuses involving a victim or victims and MNCs, how possible or realistic will it be to access formal judicial remedies? The answer to this question was evident in the words of Ruggie (2008:4), who contended that *access to formal judicial remedies is often more difficult where the need is greatest, and non-judicial mechanisms are seriously underdeveloped from the company level to the national and through to the international sphere*.

In light of the above, Ruggie (2008:4) argued for the need to have a mechanism in place to address the criteria that would enhance effective judicial proceedings for victims of human rights violations by corporations. This poses another question: why is it difficult for victims of human rights abuses by MNCs to seek formal judicial remedies? The judicial course of action may be declined, the court may lack capacity to deal with the cases, and costs of filing the cases may be too high for the individuals and the community if it is in a poor financial position (issue of cost allocation, for example, if the loser is expected to pay the winner of the case). Also, assuming a favourable judgement prevails against the MNC, the company may not be able to pay (A/HRC/11/13:23).

The argument by Ruggie and the complicated nature of human rights, especially in relation to MNCs, prompted the UN Human Rights Council to include in its mandate some additional responsibilities of inviting international and regional organisations whenever they develop pertinent policies and instruments.

However, developing countries will benefit more from Ruggie's framework, because they are more vulnerable to risks of investment, and social and human rights violations by MNCs. The Maplecroft Human Rights Risk Atlas 2012 argues that the state of human rights is deteriorating worldwide, especially in the emerging economies of Pakistan, China, Russia, Colombia, Bangladesh, Nigeria, India, the Philippines and Mexico, but excluding South Korea; these countries are ranked as 'extreme' or 'high-risk' countries as far as human rights protection is concerned. See the Maplecroft Global Map of Human Rights Risk Index 2012, Figure 1.

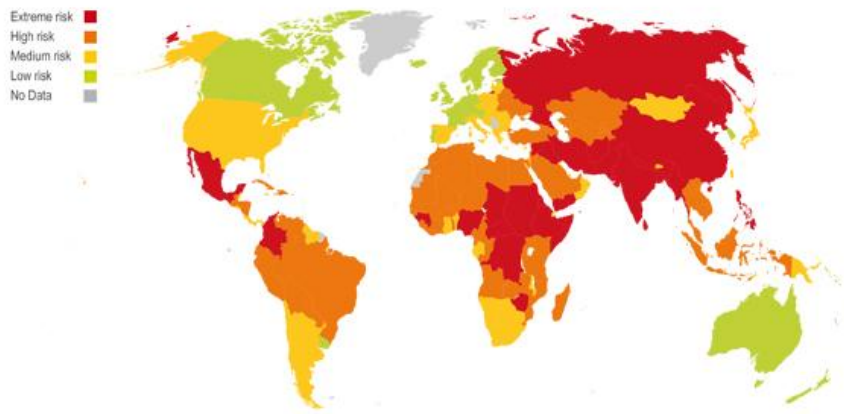


Figure 1: Maplecroft Global Map of Human Rights Risk Index 2012

It is believed that developing economies possess the opportunity to standardise their human rights to enhance positive investments, especially labour standards such as working conditions, wages and employment, through the inclusion of a stabilisation clause. Stabilisation clauses are contractual protections often incorporated into long-term investment or concession contracts between international investors and states (Smith et al., 2010). In Figure 2 is the Maplecroft Global Map of Working Conditions Index 2012.



Figure 2: Press Release on HRRRA 2012

Source: UN/IFC Study, *supra* n.2, at p.32.

Finally, Ruggie's framework on human rights and TNCs and other businesses includes private investment agreements, bilateral and regional investment and dispute resolution matters.

Today, Ruggie's frameworks pinpoint and analyse the responsibilities of TNCs and other businesses on human-rights-related activities. But why should multinational corporations and other businesses engage in human rights affairs? Secondly, how do human rights engagements benefit both the MNCs and other businesses? The answer to the first question will be based on four key issues. First, international standards enjoin MNCs and other businesses to address human rights. This statement was underlined by Henkin (1999:25): *Every organ of society excludes no one, no company, no market, no cyberspace. The Universal Declaration applies to them.*

Secondly, human rights provide a global framework of principles which address consumer law, criminal law, environmental law, corporate law and standard fundamental directions on how the entire society should be governed (Howen, 2005). Thirdly, the expectation that companies should manage human rights issues is gaining momentum from NGOs, consumers, current and prospective employers, investors, international financial institutions and governments (Avery, 2012).

Fourthly, it is absolutely risky for MNCs and businesses not to respect human rights, and they are likely to face negative criticisms from media, local and international legal actions, protests, poor reputation, shareholders' sanctions and abandonment, and financial losses. It is, therefore, better for MNCs and businesses to adhere strictly to human rights to avoid negative consequences and sanctions; as Rudolph (2004:3) put it: *Literal compliance with the law is of course necessary, it is the 'entry fee' for engaging in business. But mere compliance is no longer likely to be sufficient to protect companies from potential moral and legal liability.*

2.6.7 Relationship between Ruggie, Bowen and Sen's Approaches

Figure 3: Relationship between Ruggie, Bowen and Sen's Approaches

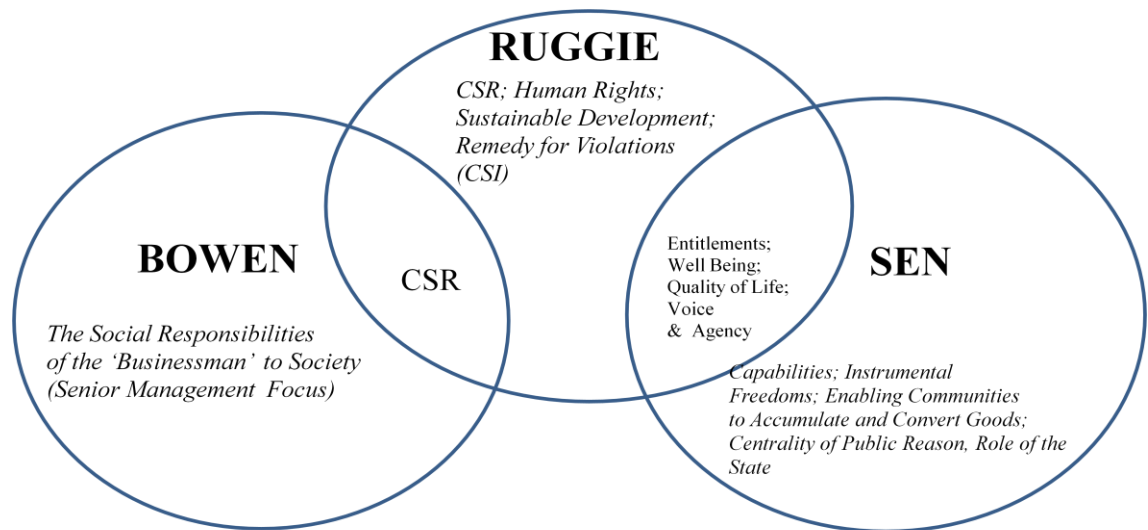


Figure Relationships between Bowen, Ruggie and Sen's Approaches

These three approaches – Bowen's proposition on the social responsibility of businessmen to society; Ruggie's rights-based policies on CSR and remedy for corporate social irresponsibility (CSI), and; Sen's developmental economics and philosophical theses on the characteristic of inequality and well-being – collectively cover all aspects of CSR, CSI and SD and thus, underpin the nature of the investigation conducted to appraise the research questions. This rationale is based on the premise that if CSR and SD or CSI are present the relevant characteristics for the appropriate approach can be identified.

The interrelationships between these three in the context of the study, and the way that they have informed this, are represented in Figure 3. Of particular note is that aspects of Bowen are combined with Ruggie (with regards to CSR) as are aspects of Ruggie and Sen (with regards to well-being, quality of life, entitlements and sustainable development). There is, however, no combined effect between Bowen and Sen, primarily because Sen deals exclusively with the individual, their communities, and the

role of the state whereas Bowen targets senior management behaviour. Moreover, Ruggie uniquely highlights the importance of firm compliance with human rights and remedy for CSI whereas, Sen, uniquely develops a view of the antecedence and remedies for inequality and those elements necessary for growth and human development, with Bowen contributing exclusively on the duties of senior management to act responsibly in society.

2.6.8 Chapter summary

In this chapter, I discussed the evolution and concepts of CSR to give the reader a flavour of how CSR emerged and its various meanings from intellectuals and international organisations. I proceeded to discuss the theoretical framework, exploring the capability approach, specifically Sen CA approach. Sen's CA approach is a complete theoretical framework that best describes the essence of CSR. Then, I moved on to focus on CSR in the non-western context. Further, I discussed CSR in developed economies and why CSR is more successful in the developed world. Finally, I concluded with CSR and human rights of MNOCs in developing economies, including Ruggie's frameworks. Finally, a framework developed in this study connecting CSR to Ruggie's (2010/2011 framework, Bowen's (1953) perspective of CSR and Sen's (Sen, 1980, 1984, 1985, 1987, 1992, 1997, 1999) CA. The next chapter will focus on Nigeria in context and MNOCs' governance and sustainability in the Niger Delta.

3 CHAPTER THREE: NIGERIA IN CONTEXT AND MULTINATIONAL OIL COMPANY GOVERNANCE AND SUSTAINABILITY IN THE NIGER DELTA

3.1 Introduction

This chapter reviews Nigeria in context and MNOCs' governance and sustainability in the Niger Delta. To carry out the review effectively, I divided the chapter into three

sections. Section one explores the history of business warfare by the Royal Niger Company (RNC) against indigenes of Niger, Benue, Oil Rivers and Hausa States and the foundation of corporate social irresponsibility (CSI) in Nigeria. Section two provides an overview and general description of the Federal Republic of Nigeria and section three focuses on MNOCs' governance and sustainability in the Niger Delta.

3.1.1 History of business warfare by the Royal Niger Company against indigenes of Niger, Benue, Oil Rivers and Hausa States and the foundation of corporate social irresponsibility in Nigeria

Introduction and formation of the Royal Niger Company

The Portuguese and Dutch were the first to discover the West African coastal cities of Nigeria (Niger Area) and Ghana (Gold coast) from the late 1400s to the 1700s, to boost competition for commerce and the trans-Atlantic slave trade. However, prior to the Berlin Conference, the French and the German were already in the Niger and posed a threat to Goldie's (British business man) imperial commercial expansion activities. At that time, the Holland Jacques and Company was financially ailing in the Niger, though Goldie purchased some interest from it because it was owned by his brother-in-law. According to McCall (2003), Goldie's aim at that time was pursuit of monopoly power as the only way to revamp the financial state of the company, and within the calendar year, Goldie reversed the financial deficiencies of the company (McCall, 2003).

Goldie persuaded all the European companies to merge with the Holland Jacques and Company to become the United African Company (UAC) on 20th November, 1879. The UAC purchased the assets of the European companies that made up the UAC and received shares according to the proportion of assets sold to the company. In response to the commercial threat posed by the French companies, in 1882 Goldie reorganised and incorporated the UAC as the National African Company with a declared capital of £1 million. Goldie's agreement prevented shareholders from operating on the Niger

within 1000 miles of Akassa on the Nun River branch; however, he permitted just two substantial companies, Miller Brothers and James Pinnock, which held shares in the UAC, to operate their other firms in the Oil Rivers at Opobo and Benin by allowing them to trade independently outside a limit of 25 miles from any of the mouths of the Niger (McCall, 2003).

Goldie then adopted the strategy of hoisting the British flag in all his trading posts in the Niger region to tactically and tacitly eliminate the French and German firms in the area. This was the basis upon which the British laid claim to the Niger and Benue regions and Hausa States at the Berlin Conference between 1884 and 1885. In view of this, the British government granted it a royal charter in July, 1886, and it became the Royal Niger Company Chartered and Limited (Ige, 2006b; Flint, 1966). The RNC undersold the CFAO to capture Southern Nigeria, laid off the Compagnie Francaise de l'Afrique Occidentale (CFAO) and established its business centre at Lokoja under *Taubman Goldie* (Egba-Enagi, 2013:4).

General causes of business warfare by the Royal Niger Company against indigenes of Niger, Benue, Oil Rivers, and Hausa States

Atrocities such as trade monopolies, imposition of treaties of protection, falsifications of documents and deceit by Goldie, his company and agents (David McIntosh, Joseph Thompson, J. Flint, D.W. Sargent, E. Dangerfield, William Wallace, Lord Lugard and others) are the affirmed causes of the business warfare against the indigenes of Niger, Benue, Oil Rivers and Hausa States in Nigeria. Prior to the appointment of Goldie as the head of the Royal Niger Company (RNC), prohibition of monopoly was conferred on the Royal Niger Company by royal charter in section 14, which states that: *Nothing in this Our Charter shall be deemed to authorise the Company to set up or grant any*

monopoly of trade ... trade with the Company's territories under our protection shall be free.

However, this provision was contravened by Goldie on becoming the head of the Royal Niger Company, to exert business monopoly over others and to expand the territories of the company through coercive extermination of the lives of the natives. This was evident in early 1884 when Goldie and his company and agents explored the imposition of treaties of protection, falsification of documents and deceit to exercise monopoly in the lower Niger, Benue and Oil Rivers. Goldie and his agents endorsed over 400 treaties with the key traditional rulers (kings) of Niger, Benue, Oil Rivers and Hausa States. It was also discovered in some cases that Goldie's company used sleight of hand to obtain treaties to legitimise trade monopolies in the Niger, Benue, Oil Rivers and Hausa States (Ekeh, 2007:67-87). These assertions can be traced to the repudiation of terms by King Jaja, Governor Nana, Emir of Sokoto and others who discovered that copies of treaties with them contained different meanings, interpretations and clauses from those in the hands of the Royal Niger Company. Also, Goldie signed fraudulent treaties with rival claimants in the case of Ebrohimi, such as Dore, Dogho, and Duru in 1894; when King Nana, the recognised leader of Itsekiri, discovered this, he revolted against the Urhobo traders, the RNC and the British officials because of their dubious acts of concluding separate treaties with Urhobo communities. A peculiar case of false claims by the RNC involves the treaties with Etsu Malik of Bida (Emir Malik of Bida), that Etsu Maliki had *placed himself under the protection of the English* (Adeleye, 1977). Finally, Goldie and his agents forged a treaty claiming that Sokoto, Gwandu, Opobo, Itsekiri, Urhobo and others had transferred their entire rights to their territories on both sides of the rivers Benue and Niger to the RNC. In essence, the forged treaties were designed to curtail and eliminate competition from the native merchants and the French, the German and other British traders.

Business warfare by the Royal Niger Company

In the Niger, Benue and Hausa States, three wars were fought by the RNC with the indigenes. These include the two wars fought with Bida and a war with Sokoto Caliphate. In this context, Bida war will be explained and other wars fought at Oil Rivers will be mentioned..

The Bida wars and attack on RNC

In the north of the Niger, the company signed a treaty with Sokoto and Gwandu in 1884 (Adeleye, 1977), Borgu in 1894 and Bida in 1885. It was uncovered that the conflict between Etsu Abubakar and the company came from Goldie's claim that the Etsu had relinquished his commercial and political rights in the area and transferred them to the company and Her Majesty in the treaty he signed (Adeleye, 1977). In 1886, the RNC established military posts at Leaba, Jebba and Gbajibo, which the Emir of Bida (Etsu Abubakar) perceived as a flagrant violation of the 1885 treaty. Goldie's violations of the treaty with Bida in 1886 led the Emir of Bida (Etsu Abubakar) to withdraw all Nupe's pilots in the service of the company in the waterways, and attack the company's station and capture its 45 military men and their rifles. In 1892, the RNC viewed the presence of Bida in the Ijumu-Kabba-Bunu area as constituting a bulwark against its monopoly of trade and markets in and around the area (Ige, 2006b). In 1897, Goldie imposed a treaty on Bida and Ilorin and the curtailment of Bida's influence in the region led to the Bida war of 1897 that resulted in the assassination of hundreds of Bida people (Ige, 2006b). Goldie mobilised the Royal Niger Constabulary in 1897 to quell Makun's force from Lokoja. Find below Goldie's telegraphs sent to the Foreign Office, London:

Advance on Bida ... Dictate terms to Ilorin or smash them

smash Iddah and settle down-river palavers ...

However, before Goldie's Constabulary entered the Bida military camp, the Bida spies had got wind of Goldie's advance and the Bida army had relocated for strategic reasons. Find below Goldie's telegraph to the Foreign Office on the situation:

Nearing camp. All well. Hope attack Makun 14th. All well.

Kabba 14th Makun fled. We going Bida. All well. 5

The Ogidi War

Between 26th and 28th January, 1897, another fierce battle of business warfare erupted at Ogidi led by the RNC Constabulary, which attacked and deposed Etsu Abubakar and destroyed Bida, killing thousands of the more than 15,000 artillery soldiers of Bida and hundreds of Nupe people, with an army of 507 African foot soldiers led by 32 European officers with sophisticated weapons (Ijaw People's Association, 2010: 3). The destruction of Bida by the RNC was not minor; they shelled Bida and the whole city was burnt. Bida was the first that fought against British colonialism in Nigeria (Egba-Enagi, 2013: 4; Minin, 2013:6; Ndayako, 2013:8). And in 1888 and 1891, the RNC raided Jibu village, very close to Bida, killing hundreds of the natives of the village.

It is pertinent to note that it was not only the curtailment of Bida that was a problem; even British companies such as Lander and Company, and the African Association, a group of Liverpool companies, expressed their dissatisfaction with the RNC's monopoly of trade in the Akassa-Brass region to the Foreign Office.

The Oil Rivers wars and attacks on RNC

In the Oil Rivers, an array of wars were fought by the RNC under the leadership of Goldie to monopolise commercial and other business activities in the region. The wars and attacks on RNC include:

Confrontations with Nana Ebrohimi, brass traders, the Nembe community, Alabo Erigbe Effurun, Oba Ovonranwen of Benin, and King Jaja Of Opobo, the Ndoni

invasion leading to the Ekumeku war, the bombardment of Onitsha, the Asaba and Aguleri war of 1892, and war with Onicha-Ado.

- **Summary**

The incessant brutal Machiavellian strategies of monopoly, falsification of documents and protection treaties, deceit, wars and coercive prevention of natives and French, German, British and other companies from carrying out their commercial activities within the so-called protection territories were the means explored by Goldie to acquire huge profits for the company. According to McPhee (1971), in 1898, Goldie posted £11,775 in Nigeria. The profit motive, therefore, is seen as the prime motive of the company and was responsible for the inability of the Foreign Office in London to caution Goldie's unethical demonstrations of corporate irresponsibility in the Niger, Benue, Oil Rivers and Hausa States in Nigeria. Goldie concentrated on pursuit of profit for himself, the Queen of England and other shareholders. These acts reflected Friedman's (1970) shareholder theory that the job of the corporation is to create wealth with the interest of the shareholders as the guiding principle. Thus, these actions by Goldie and the company are contrary to the stakeholder theory by Freeman (1984) that corporations must not only consider the shareholders, but also impact positively on community, government, suppliers, customers and stakeholders where they operate. The RNC and Goldie deliberately refused to assist and give back to the stakeholders in any form but rather exhibited sheer wickedness, intimidation and abuses of rights for selfish gains, and therefore laid a solid basis for the beginning of corporate social irresponsibility in Nigeria, which in turn set the tone for the existing corporate practices in the Niger Delta today by multinational oil companies.

3.2 Overview and general description of Federal Republic of Nigeria

This section presents an overview and general description of the Federal Republic of Nigeria. Other areas in the discussion include how oil was discovered in Nigeria, an

overview of the Nigerian economy, oil exploration and exploitation, oil and gas reserves in the Niger Delta of Nigeria, recent developments in Nigeria's oil industry, production capacity, oil and the Nigerian economy and oil and the Nigerian environment.

3.2.1 Overview and general description of Federal Republic of Nigeria

The climatological cycle of Nigeria fluctuates, and has been unstable throughout the years. Nigeria is located in the West African subregion, and lies between latitude 4°N and 14°N, and between longitudes 3°E and 15°E. Nigeria shares borders with the Republic of Benin and Niger in the West, the Republic of Cameroon in the East, Niger and Chad in the North and the Gulf of Guinea in the South (NNPC, 2011). The Nigerian land mass is 361,649 sq km, total area 923,768 sq km and water 300 sq km (World Fact Book CIA, 2011). The total population of Nigeria was 167,912,561 in October, 2011, with a growth rate of 3.2% (NPC, 2011). The birth rate is 36.0/1000, the infant mortality rate is 92.9/1000 and life expectancy is 47.2 (World Fact Book CIA, 2011).

Nigeria is endowed with abundant mineral resources of various kinds consisting of natural gas, petroleum, iron ore, coal, limestone, zinc, lead, salt, kaolin, marble, gold, uranium, sulphur, clay, gravel and tantalite. Nigeria is often described as a 'giant of Africa' and 'Africa's leading oil producer'. Nigeria possesses vast tracts of arable land and is capable of numerous economic activities including agricultural production (AFF, 2001). The Nigerian political structure consists of a three-tier system: federal government, state governments (36 states including the federal capital), and local governments (777 LGs). Religious practices in Nigeria comprise Christianity, Islam and

traditional religion (Robert et al., 2009). Figure 3 shows a map of Nigeria with states.



Figure 4: Map of Nigeria

Source: www.theodora.com/maps

3.2.2 How oil was discovered in Nigeria

The search for oil in Nigeria can be traced back to 1908 and a German company known as the Nigeria Bitumen Corporation. Although there are contentious arguments over the nationality of the Nigeria Bitumen Corporation, authors like Frynas and Njeze (2000), the Nigeria National Petroleum Corporation (2011) and numerous others, in their historiography of oil discovery in Nigeria, have indicated that the Bitumen Corporation originated from Germany. But Steyn (2009) argued that the Nigeria Bitumen Corporation was a British-registered company and that its shares, indeed, were available for public subscription on the West African Market of the stock exchange in London.

The Nigeria Bitumen Corporation was created in November, 1905, mainly to acquire and work the exploration concessions of Nigeria, and to search for bitumen and crude oil. The Nigeria Bitumen Corporation started operations in 1906 and the search for oil in 1908 became the main focus of the Corporation. The Corporation was the first to commence oil exploration functions in the Araromi area, in Western Nigeria (NNPC,

2011). At this time, it became difficult for the Nigeria Bitumen Corporation to explore for crude oil in commercial quantities, and, therefore, could not proceed with further oil exploration. This area poses another controversial argument and challenges discussions about oil discovery historiography in Nigeria. Most writers in this area, such as NNPC (2011), Udosen et al. (2009), Collins (2008) and Frynas and Njeze (2000:9) have provided the historiography that the outbreak of the First World War was responsible for the discontinuation of oil exploration by the Nigeria Bitumen Corporation. But Steyn (2009) argued that it was not the outbreak of the First World War that was responsible for the defectiveness of the Nigeria Bitumen Corporation, but, rather, that the Nigeria Bitumen Corporation was financially sick, could not expand the scope of its explorations, ceased its operations throughout the country by the end of 1913, and was finally liquidated in 1914: *It was its liquidation rather than the outbreak of World War One, as Njeze and Frynas(2000:9) argue, that led to the termination of the activities of Nigeria Bitumen in the colony.*

The controversy has posed significant questions. First, what is the origin of the Nigeria Bitumen Corporation? Is it a German-registered company? Or a British-registered company? Secondly, was it the outbreak of the Second World War or liquidation that led to the termination of the exploration activities of the Nigeria Bitumen Corporation? Bruno (2013) confirmed that the Nigeria Bitumen Corporation is a German company and, because of the stresses they faced in exploration without positive results, they abandoned the work and left Nigeria.

After the First World War, there was a massive shortage in the supply of crude oil. To counter the likely future explosion in demand for crude oil, and to minimise reliance on other countries for supply of crude oil, the British government intensified efforts to search for crude oil in its colonies, as well as requesting the British oil corporations to indicate interests for oil exploration in the Empire. Only two corporations declared

interest in oil exploration. D'Arcy Exploration Corporation, a wholly owned subsidiary of the Anglo-Persian Oil Company, developed interests in oil exploration in Nigeria in 1918, while the Whitehall Petroleum Corporation became interested in 1920.

Against this background, and to successfully achieve the targets, the British government enforced the general British oil policy enacted in 1904 which stipulated that *Oil exploration concessions in the British Empire should preferably only be granted to companies registered in Britain or its colonies*. In addition, the 1907 ordinance restricted the search for oil in Nigeria to only British corporations. Section 15 of the ordinance stated that *All members of the directors of these companies be British subjects*. The model of mining licences was later amended in June, 1936, in the British Parliament to enable foreigners and foreign-controlled companies to participate in exploration operations from 1938.

However, the interested corporations were granted concessionary licences. The D'Arcy Exploration Corporation was granted a licence on 28th February, 1921, and the Whitehall Petroleum Corporation licence was granted on 13 June, 1921. After that, Whitehall carried out concession investigation and discovered that the clauses were not worth exploration, and its board finally handed over the concession in March, 1922. D'Arcy, on the other hand, revived their interest in exploration in the 1930s and reported in Nigeria in partnership with Royal Dutch/Shell (later called Shell). The licence was formally issued in 1937, and, in December of the same year, the name Anglo-Saxon Petroleum Company was replaced by Shell Overseas Exploration Company Limited on the official licence.

The exploration functions embarked upon by Shell D'Arcy between 1937 and 1939 in Nigeria were quite intensive, hectic and expensive and did not yield reasonable returns on investment. This perpetual situation in subsequent years called for suspension of

exploration activities by the colonial office under the auspices of the Nigerian government in 1941 (Steyn, 2009).

Shell/D'Arcy could not instantly resume exploration functions in Nigeria after the Second World War in 1945 (Etikerentse, 1985), due to constraints encountered in obtaining suitable qualified personnel for the exploration exercise (Steyn, 2009), and, thereafter, resumed exploration in 1946. The joint venture partners formed a locally incorporated company called Shell/D'Arcy Petroleum Development Company of Nigeria Limited, which was registered in Lagos on 10th September, 1951. Following the company's intensive search of several years, and the investment of £30 million, the first commercial quantity was discovered in 1956 at Oloibiri (present-day Bayelsa State) in the Niger Delta.

Before the end of 1956, there was another oil discovery in Afam (Ajomo, 1987). The positive developments led to subsequent engagement of other players in the oil industry of Nigeria in 1961. The key players at that time included Mobil, Tenneco and Amoseas (now Texaco and Chevron), Agip and Safrap (now Elf). With newcomers in the oilfields, in 1958, the oil production capacity shot up to 5100 barrels per day for export to other counties, and establishment of the Nigeria National Oil Corporation (NNOC) in 1971 (Emenbolu, 1975). In 1972, Nigeria qualified as a member of the Oil Producing and Exporting Countries of the world (OPEC), ranked sixth largest oil-producing country in the world (Pearson, 1970).

In 1975, the Ministry of Petroleum Resources was created with mainly regulatory roles. In 1977, the Nigeria National Oil Corporation was combined with the Ministry of Petroleum Resources under Decree 33 of 1976, and the former name Nigeria National Oil Corporation was replaced with the Nigeria National Petroleum Corporation, which had the objectives of capacity building, developing into an international oil and gas company capable of competing globally, active participation in the domestic oil and gas

business and ensuring national energy security (NNPC, 2011). The Nigeria National Petroleum Corporation is a state-owned corporation and a major player in both the upstream and downstream sectors (Mbendi, 2011).

From 1972 to date, numerous giant crude and petroleum oil corporations have joined the queue for exploration in Nigeria including several indigenous corporations. It is worth noting that significant oil discoveries were made in some parts of Nigeria, such as two oil wells in Anambra State, one discovery well in Benue State, another discovery well in Edo State and 24 wells in Chad Basin, even though they are yet to be explored (NNPC, 2011). But the oil discoveries within the Niger Delta region remain top of the list of oil discoveries in Nigeria. In this regard, the Niger Delta region is the strategic centre of power for the country's revenue generation, oil discoveries, exploration, and distribution of oil and petroleum products in Nigeria.

Oil was discovered in the Niger Delta region on 3rd February, 2009, by an indigenous firm called the Addax Petroleum Corporation in Njaba 2 well in Eastern Nigeria (Present Imo State). The Addax Petroleum Corporation at the moment produces 6000 barrels per day. Addax possessed 100% working interest under a Production Sharing Contract (PSC) with Oil Mining Licence (OML 124), and the Nigeria National Petroleum Corporation (NNPC) is the concessionaire (Gbogbo, 2009). A more recent offshore oil discovery in Nigeria on 26th June, 2010, by Total Exploration and Production Nigeria Limited, a subsidiary of Total, in collaboration with Con Oil Production Limited, discovered hydrocarbon in the central portion of the oil mining lease (OML 136) offshore, Lagos, Western Nigeria (NNS, 2010).

3.2.3 Overview of the Nigerian economy

The economy of Nigeria today is heavily dependent on oil and gas, which account for 97.5% of foreign exchange earnings and about 80% of government revenues. Nigeria's GDP exhibited a rapid growth rate over the period of 2003–2007 (Nigeria Economic

Report, 2009). But evidence has shown that, prior to independence in 1960, the economy was dominated and characterised by agricultural exports and commercial activities (Ekpo and Umoh, 2011). At that time, there was no viable industrial sector other than agriculture. Even after independence, agriculture was the mainstay of the economy. Agriculture contributed almost 65% to GDP and represented 70% of the gross export, as well as accounting for the foreign exchange used in importing raw materials and capital goods. At that time, the gap between the rich and poor was negligible, but such a gap slowly began to emerge.

However, the discovery of oil in commercial quantities in the mid-1950s and the oil boom resulting from the Arab oil embargo on the USA in 1973 adversely affected the agricultural sector. The agricultural sector was the worst hit. Since then, the economy has become heavily dependent on oil. At that time, oil revenue was 90% of foreign exchange earnings, and almost 85% of gross exports. Thus, the boom accumulated much-needed revenue for the government, but, adversely, resulted in serious structural constraints in the economy.

In 2008, the real GDP growth recorded was 5.8%. However, the growth emanated from the non-oil sector as the oil output declined throughout the period as a result of the crisis in the Niger Delta in spite of the favourable oil price. On the other hand, the non-oil GDP grew at the rate of 8.1% during the same period (Egbogah, 2009).

In view of the growth of the non-oil output and the increase in the price of oil, gross revenue of the federal government shot up by an average rate of 33.5% per annum during the five years up to 2007, in marked contrast to the period 1997–2000. However, the trend in revenue generation by the federal government followed that of GDP growth. But in the period 2003–2007, non-oil revenue grew at an average annual rate of 28.3% against oil revenue of 24.8%. The positive revenue development contributed to the growth of federal government capital expenditure to 37%. Thus, the recurrent

expenditure was 12.85% and led to greater development of the country during the period and enhanced the repayment of external debt (EIA, 2009).

However, during 2006–2008, the Nigerian Naira value appreciated. The position of the government's debt was sustainable with external debt stock of US\$3.86 billion at the end of October, 2009, while the gross public debt was less than 10%, indicating that it was within acceptable and cautious limits. At this time, Nigeria held considerable external reserves, with reserves increasing from US\$43.19 billion in early July to US\$44.095 billion in mid-October, 2009. The Central Bank could then effectively defend an exchange rate of N150/\$1 within a +/-3% band as stability returned to the system, and predictable exchange rates were seen as necessary to reassure foreign investors (Lamido, 2009).

In 2010, dominant political activities and discourses – as a prelude to the general election in April, 2011 – affected economic activities in various sectors of the economy. However, the federal government through its agencies developed a framework called the Nigeria Country Partnership Strategy (CPS), 2010–2013, to diversify and reform the economy by integrating other drivers of the economy such as telecommunication, aviation, banking and insurance and water transport, in addition to the populous oil and gas sector, to boost the Gross Domestic Product (GDP) (World Bank, 2011). According to NBS (2011), the Nigeria telecommunication sector continues to be one of the fastest-growing and most competitive in the world with over 86 million subscribers. The Bureau also states that the Nigerian economy recorded an overall growth of 7.85% in 2010, and that the growth is expected to improve further as the government invests heavily in infrastructural development.

In 2011, the NBS stated that the Nigerian economy is projected to grow at 7.98% (GDP) as against 7.85% in 2010. The non-oil sector is expected to continue to drive the economy, while the improvements recorded in the oil sector in 2010 will be sustained

(NBS, 2011). Thus, the non-oil sector will be driven by growth in the activities of the wholesale and retail trades, finance and insurance, building and construction, and telecommunication. But non-oil output is expected to remain stable in spite of peace in the Niger Delta region following the federal government's amnesty programme.

3.2.4 Oil exploration and exploitation

The exploration and exploitation of the environment dates back to the existence of man on earth (Ekundayo, 1988). Oil exploration involves geophysical investigation, geology survey and drilling. In the same vein, oil production involves gas flaring and the establishment of production sites, and flat and tank farms, endangering the environment in several ways – land, water and air pollution, killing of vegetation around flare sites, destruction of mangrove swamps, and distortion of the growth of plants such as by suppressing the flowering of plants (Ibaba, 2001:33–34; Naaneen, 1995:21).

Oil exploration and exploitation has a long-standing history in Nigeria. It has left a trail of woe with consequences for and damage to the ecosystem and caused problems to human life in the exploration communities (Bayode et al., 2011). The discovery of oil in commercial quantities in Oloibiri in 1956 by Shell enhanced the export of crude oil to other countries in 1958. However, literature on oil exploration and exploitation reveals that, in 2006, there were 606 oilfields, of which 360 were onshore and 246 offshore with a production capacity of 2.6 million barrels per day (Nigeria Country Analysis Brief, 2005).

It is worth noting that, by the end of October, 2011, there had been a dramatic decrease in the operational oilfields to 500 in the Niger Delta, of which over 55% are onshore, while the remainder are offshore. From the total number of oilfields, 193 at present are operational, and 23 have either been abandoned or closed down (NAPIMS, 2011). Poor exploration results and temporary dryness are reasons for the abandonment or closure of

the wells (NNPC, 2011). The implication is that, if efficiency and other factors remain constant, the number of operational oil wells also determines the production.

Nigeria has two refineries in its main oil-hub Port Harcourt and one each in the Niger Delta towns of Warri and Kaduna. The refineries have been grounded for years, but commenced operation in the first week of February, 2011, with a production capacity of 60 per cent and 75 per cent, equivalent to 445,000 barrels per day (Ajuonuma, 2011). According to the source, a series of militant sabotage attacks to feeding pipelines forced the NNPC to shut all its refineries. In addition, other problems such as fire, poor management and lack of regular maintenance have contributed to low production capacity according to the World Market Research Centre. However, there are private refineries such as Amakpe International Refineries in Akwa Ibom State, which is about to take off (Imade, 2011). Also, in 2010, Nigeria and China signed a \$23 billion deal for three new refineries in Kogi, Bayelsa and Lagos states to add 750,000 barrels per day of refining capacity (Journal of Nigeria Oil & Gas, 2011; BBC, 2010).

3.2.5 Oil and gas reserves in the Niger Delta of Nigeria

Nigeria was rated the largest oil producer in Africa and eleventh largest in the world (The Country Analysis Briefs, 2005). On the other hand, the estimate of Nigeria's proven oil reserves was 35.2 billion barrels (Oil & Gas Journal, 2005). However, it was the strategic plan of the federal government to increase its proven oil reserve by 20 billion barrels in 2010. In addition, Nigeria National Aspiration for Gas and Oil is to grow production capacity to 4.5 mmb/d, maximise oil and gas sector value to the economy and transit from an oil industry to integrated oil and gas industry (NNPC, 2006).

Figure 5 shows Africa's oil production by country for 2009 (thousand barrels daily), confirming Nigeria as the largest oil producer in Africa.

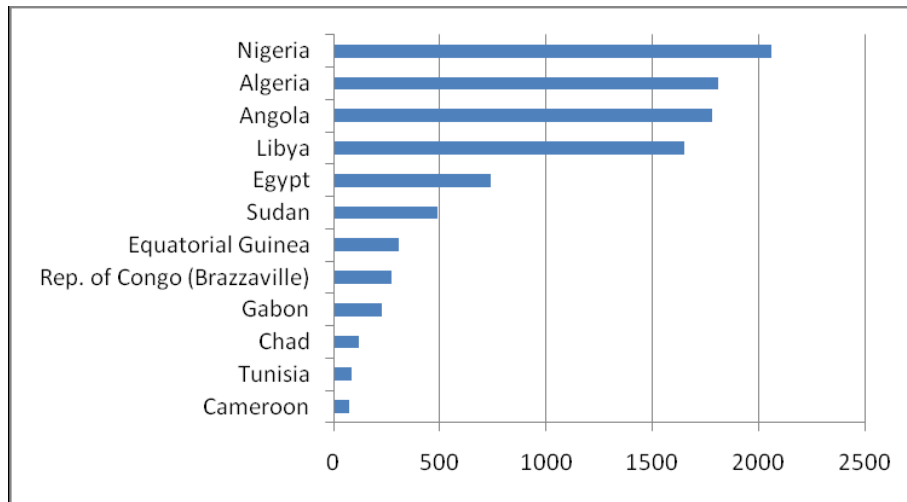


Figure 5: Graph showing Nigeria as largest producer of oil in Africa

Source: AfDA Statistics Department, using data from Statistical Review of World Energy 2010

On the other hand, while achieving the goal for oil and gas, effort was intensified to create more revenue from gas and oil within the decade, address environmental issues, develop the national market and form new industries out of the old oil market. Thus, the target of 40 billion barrels was not achieved in 2010. And in early 2011, the Nigeria National Petroleum Corporation made the same projection of a production target of 40 billion barrels. Notwithstanding, while trying to achieve the oil and gas reserves target, numerous challenges suddenly emerged which compelled the Department of Petroleum resources (DPR) to disclose that Nigeria was still finding it difficult to increase its oil and gas reserves to projected capacity.

But in spite of the challenges envisaged, Nigeria was ranked tenth in the world's ten biggest oil reserves in Arabian oil and gas, with 2.8% share of global oil reserves at 37.2 billion barrels of oil as at the first quarter of 2011 (Hussain, 2011). Despite the proliferation of oil and gas reserves this year, Sheik (2011) perceived that the target of 40 billion barrels could only be achieved through an aggressive exploration programme.

3.2.6 Recent developments in Nigeria's oil industry

Recent developments in the upstream and downstream sectors raised numerous concerns. One concern is the exclusion of the clause in the Petroleum Industry Bill which allows for incorporated joint ventures among foreign corporations and the Nigeria National Petroleum Corporation (NNPC). This latest development in the oil industry has led to calls for new policy recommendations by Sayne (2011) with the main objectives being to reform the oil industry and to enhance transparency and accountability. He prescribed new regulations of downstream licensing and lifting, increasing transparency of upstream contracts, and ensuring yearly audits of Nigeria National Petroleum Corporation and its subsidiaries. The report is also referred to as the Facility for Oil Sector Transparency (FOSTER) and was implemented by the Revenue Watch Institute, Oxford Policy Management, and the Centre for the Study of the African Economy.

In the second quarter of 2011, a more intensive search for commercial hydrocarbon deposits in Nigeria, intended to be a continuous process, was embarked upon by the Nigeria National Petroleum Corporation and multinational oil exploration corporations in line with the directive of the president to achieve increased crude oil production capacity, and to boost the country's reserves of oil and gas from the current level of 37 billion barrels, and about 187 trillion cubic feet, tcf, of gas (Uche, 2011). The exploration charge was led by NNPC's new exploration services division, the National Frontier Exploration Service (NFES), an arm of the corporation charged with the responsibility of regulating and stimulating petroleum exploration activities with unassigned boundaries beyond the producing onshore Niger Delta and deepwater basin (Oniwon, 2011). Intensive search areas included Anambra, Bida, Sokoto Basin, Chad, and Benue but yielded negative results.

‘Gas Revolution: Rebirth of Nigeria’s Industrialisation’, launched by President Jonathan in 2011, aimed to utilise gas as a feedstock to produce low-end plastic and packaging products and high-end products such as methanol, fertilizer and numerous petrochemical products (Obasa, 2011). It was hoped that the gas-based project would not only create job opportunities, but also ensure a fully fledged supply of gas through pipelines from South to North to textile and allied industries shut down due to excessive costs, and benefit petrochemical and fertilizer plants as well as Nigeria’s entire economy (Jonathan, 2011). The gas project, according to the president, would fast-track Nigeria’s industrial rebirth, strategically positioning Nigeria to become the regional hub for gas-based industries of fertilizers, petrochemicals and methanol in 2014.

The passage of the Petroleum Industry Bill (PIB) is a recent development in Nigeria’s oil industry, initiated by the federal government and awaiting final endorsement by the National Assembly. The PIB is aimed at ending opaqueness and high-level confidentiality and creating over 300,000 jobs in the industry within the next four to five years, ensuring compulsory execution of corporate social responsibility (CSR) for oil-producing communities and ending gas flaring and commercialisation of NNPC, among other things (Soeze, 2011). It is worth mentioning that successful implementation of the PIB would be the most significant and one of the biggest overhauls of Nigeria’s oil industry, and thus facilitate simplification in the revenue collection of the government, cream off windfall profits for high oil prices, create jobs for citizens and business opportunities for investment in small and gas fields, and collect revenues from profitable fields in deep offshore water (Lukman, 2011).

On 1st January 2012, in presidential broadcast to the nation, President Jonathan announced the removal of oil subsidy by the federal government of Nigeria, and increased the petroleum pump price from 65 naira to 97 naira per litre. According to Adewumi (2012:1), the Nigerian government spent billions of dollars which is

equivalent to US\$8 in 2011, and the same amount is paid every year for oil subsidy. However, the federal government planned to utilise the subsidy funds to improve national infrastructure, power supplies, transportation, agriculture, education, healthcare and other social services. In addition, the Nigerian Central Bank governor (Sanusi, 2012:1) has stated that the subsidy funds should be used for production instead of consumption *until we begin to build an economy that depends on production and promotes domestic production, rather than imported consumption, and that Nigeria is now taking the first step towards development and industrialization* (Sanusi, 2012:1).

The News Agency of Nigera (NAN, 2013) revealed that on Thursday 12th December, 2013, oil industry workers protested in Abuja, the federal capital city, against the plan of the federal government to privatise Nigeria's four oil refineries (NAN, 2013). The protesters were led by Abdulkarim, chairman of the NNPC Group PENGASSAN and National Union of Petroleum and Natural Gas Workers (NUPENG); an estimated 200 protesters condemned the privatisation decision. In spite of the protest by the oil industry workers to resist privatisation of the nation's four refineries, the following week the Bureau of Public Enterprise (BPE) forged ahead to announce the approval of the privatisation of the four nation's refinery by President Goodluck Jonathan on Friday 29th December, 2013.

According to President Jonathan (2012:1): *This is in keeping with the transformation agenda, which seeks to catalyse and provide an enabling environment for the private sector to be the drivers of economic growth in the country.*

Further, positive developments in gas export landmarks were witnessed in Nigeria LNG Limited (NLNGL). These were first covered in the News 24 Nigeria breaking news (NAN, 2013) on 7th January, 2014 that the 3000 milestone of export liquefied natural gas cargo estimated since the inception of its operation in 1999 had been achieved.

NLNG revealed that, first, its shipments of liquefied natural gas (LNG) have reduced gas flaring in the oil-rich region, a sore point in the operation of oil firms often criticised by residents and rights organisations. Second, it hoped to increase its production capacity from 22 million metric tonnes to 30 million per annum, as Nigeria seeks to hit a target of providing the world with 10% of its LNG requirements. Third, it stated it was reducing dangerous gas flaring that can cause environmental damage and harmful health effects on people living nearby.

3.2.7 Production capacity

Nigeria's crude oil production, condensates and natural gas liquids was estimated at 2.09 barrels per day for the first quarter of 2011, in comparison with 2.17 million barrels per day in 2010. The development results in a shortfall of production of 0.08% (Nigeria Economic Report, 2011). According to the NER (2011), the export crude oil was estimated at 1.64 million barrels compared to 1.72 million barrels in the preceding quarter. However, there were more sabotage spills and bunkering incidents in the Eastern Niger Delta, which led to a production shutdown of the Bonga oil and gas field by Shell Petroleum Development Company of Nigeria Limited (SPDC) on 28th August, 2011. This development, however, contributed to Nigeria's oil reserves dropping to 36.6 billion, and gas flares hit 1.4b daily in August, 2011 (*The Guardian*, 2011). Even though sabotage at this stage is said to be high, it could have been higher without the amnesty programmes in place for the militants operating in the region. However, sabotage is not seen as the only impediment responsible for missing the crude oil production target: ageing refineries, a poor maintenance culture, and dilapidated infrastructure and pipelines connecting the plants have held back Nigeria's refineries for years.

According to NER (2011), in the second quarter of 2011, Nigeria's output of crude oil production, condensates and natural gas liquids were estimated at 2.19 million barrels per day for the second quarter, compared with 2.09 million barrels per day in the first quarter, indicating significant increase in production with 0.10 barrels disparity (NER, 2011). Crude oil exports were estimated at 1.74 million barrels per day in the second quarter compared with 1.64 million barrels per day in the first quarter with 0.1% proliferation due to the resumption of Shell's Bonga oil and gas field accounting for almost 10% of the country's daily production (NER, 2011).

For Nigeria to maintain its position as Africa's highest producer of crude oil (ranking 11th in the world), and a country with huge and substantial oil and gas reserves (Osuoka & Roderick, 2005), it must provide operational frameworks that seek solutions to the questions that confront it. Thus, the question is: what strategies must be put in place by Nigeria's oil and gas industry to sustain high production capacity of oil and gas? And of course, this study suggests that a trajectory approach be launched to ensure fully fledged turnaround maintenance of all refineries at all times to rule out breakdown of equipment. However, this approach could only be sustained if maintenance engineers with the requisite background, knowledge, experience, skills, training and expertise were available at all times to carry out preventive and predictive maintenance on a daily, weekly, bi-weekly, monthly, quarterly, semi-annual or annual basis, and in addition, urgent enforcement of planned partnership deals for three new refineries with refining equipment.

3.2.8 Oil and the Nigerian economy

Nigeria is naturally endowed with abundant mineral deposits. Prominent among them are oil and gas, and they have been the mainstay of Nigeria's economy since the postcolonial era. Oil has contributed significantly to the revenue and socioeconomic development of Nigeria (Kobeb & Obiab, 1976). Oil and gas have generated

appreciable internal revenue and foreign exchange earnings. In 2000, oil and gas exports accounted for more than 95% of export earnings and about 83% of federal government revenue (Odulara, 2007). This trend continued in the subsequent years and, in 2011, oil and gas contributed 38.19% of GDP in the first quarter, and 38.72% in the second quarter.

Substantial revenue generation accrued to the government from oil and gas through domestic consumption and export to other countries. But the effect of the revenue on the growth of Nigeria's economy in relation to productivity and judicious utilisation remains a matter of concern. Exclusive of oil and gas, Nigeria's economy is not efficient. However, in recent years, strategies were mapped out by the federal government to ensure that non-oil sectors contributed substantially to increasing the GDP of the country (NBS, 2011).

The oil boom of the 1970s led to neglect of Nigeria's viable agricultural and light manufacturing bases in favour of an unhealthy dependence on crude oil. This scenario resulted in perpetual decline of other economic sectors and, thus, culminated in rural–urban migration proliferation, and widespread poverty in both urban and rural areas, and thus aggravated the collapse of basic social services and infrastructural facilities. Table 1 mirrors how agricultural production contributed in the precolonial era (prior to oil discovery in 1958) to the growth of the country's GDP as opposed to oil and gas at that particular point in time.

Table 1: Value of export and percentage shares in total merchandise exports

| | Value of export in millions of dollars | | | Percentage share in total merchandise Export | | |
|------|--|----------------|---------------|--|----------------|---------------|
| Year | Agriculture | Oil and mining | Manufacturing | Agriculture | Oil and mining | Manufacturing |

| | | | | | | |
|------|--------|----------|--------|-------|-------|-------|
| 1960 | 391.72 | 11.26 | 60.76 | 84.48 | 2.43 | 13.10 |
| 1965 | 481.50 | 238.90 | 16.90 | 59.01 | 32.40 | 2.29 |
| 1970 | 447.60 | 765.60 | 14.70 | 36.45 | 62.35 | 1.20 |
| 1975 | 459.20 | 7485.70 | 38.50 | 5.75 | 93.77 | 0.48 |
| 1980 | 622.30 | 24744.80 | 71.40 | 2.45 | 97.77 | 0.28 |
| 1985 | 328.20 | 15004.80 | 296.97 | 2.10 | 96.00 | 1.90 |
| 1990 | 302.20 | 13265.00 | 103.30 | 2.21 | 97.03 | 0.76 |
| 1995 | 211.73 | 11448.70 | 79.95 | 1.80 | 97.64 | 0.66 |
| 1998 | 215.35 | 9406.93 | 166.45 | 2.200 | 96.1 | 1.70 |

Source: CBN (1960–1999) Annual Reports and Statement of Accounts

Countries of the world endowed with oil wealth, amongst whom Nigeria is included, and especially developing nations, are associated with one or more of these challenges. Oil-rich nations are identified as being *victims of political and economic crisis* (Aunty, 2001). Figure 6 is a graph confirming the resource curse of oil-dependent countries with weak, staggering and crawling economic growth.

Median GDP per capita in constant 1995 US\$

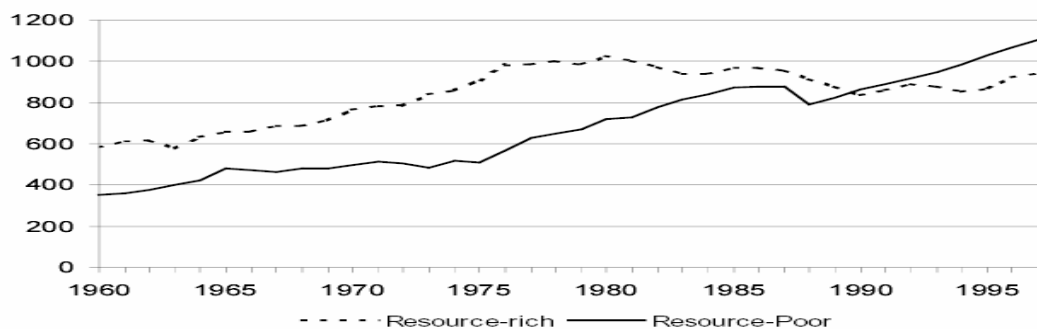


Figure 6: Indication of resource curse of oil-dependent countries

Source: Aunty, R.M. ed. (2001) Resource abundance and economic development.

Wider studies in development economy, Oxford University Press

Evidence shows that nations dependent on oil possess *slow economic growth* (Sachs and Warner, 1997; 2001; Manzano and Rigobon, 2001), and *endemic corruption* (Sachs and Warner, 1999; Leite and Weideman, 1999; Gylfason, 2001). Corruption is defined as

the misuse of public power or resources for private gain, and it is generally illegal (Karl, 2007). They also face *uncertainties, and abnormality and low rates of democratisation* (Ross, 2001a; Lam and Wantchekon, 1999) and *risks of outbreak of civil war* (Collier and Hoeffler, 1998, 2001; Fearon and Laitin, 2003). In other words, underdevelopment of the oil-producing states is a result of dependency on oil (Yates, 1999). Nigeria has been a rentier nation since the 1970s (Khan, 1994; Yates, 1996; Ikein, 1998). A rentier state is a state that lives on externally generated rents rather than the surplus production of the population (Karl, 2007). In oil-exporting states, this is measured by the percentage of natural resource rents in total government revenues. The Nigerian economy relies absolutely on the oil sector accounting for nearly 80% of government revenue, 90–95% of export revenues, and over 90% of foreign exchange earnings (Obi, 1997). The graphs in Figure 6 confirm Nigeria's dependence on oil.

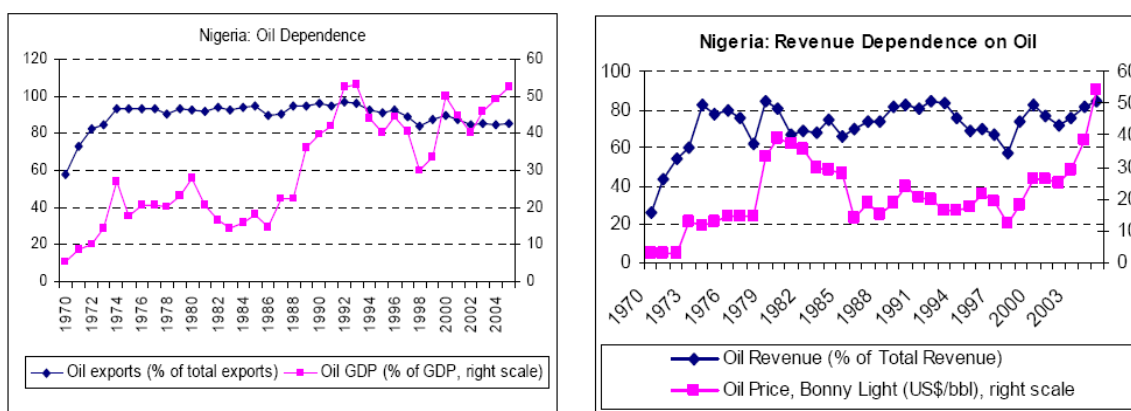


Figure 6: Nigeria: indicators of oil dependence

Source: The World Bank Staff Report, Morgan, J.P. (2005) Annual Statistical Abstract, Central Bank of Nigeria, various issues and the IMF

In addition to the explanations above, countries with oil wealth that heavily depend on it are susceptible to *poverty* (Ross, 2003). According to Watts (2008:40), 90% of the rural poor fall below the conventional poverty line (\$1 per day). Poverty in the Niger Delta is

endemic, and, therefore, resonates with the words of Ross (2003). These pathetic circumstances demand an alternative approach that can effectively and efficiently alleviate poverty in Nigeria and in the Niger Delta. The solution to this circumstance is *sustainable CSR*. Thus, *CSR is the key to the future of Africa* (Robinson, 2011).

Nevertheless, *the resource curse thesis* (Aunty, 2001) posited that oil-wealthy nations including Nigeria are characterised by inefficient economic performance and undemocratic government (Aunty, 1993; 1998; Saraf and Jiwaji, 2001). The resource curse refers to the negative growth and development outcomes associated with minerals and petroleum-led development. In its narrowest sense, it is the inverse relationship between high levels of natural resource dependence and growth rates (Karl, 2007). However, Saraf and Jiwaji (2001) advanced explanations of internal and external factors related to the economy of oil-wealthy nations. They thus encapsulate the consequences for production and investment strata within the economy and the volatile price of primary international markets. However, proponents and supporters of the *resource curse thesis* have stated that the endowment of oil wealth of a nation is not the fundamental challenge, but, rather, poor management and laxity preventing effective utilisation of the revenue generated from the oil resources.

Furthermore, Nigeria as an oil-wealthy state creates economic volatility with negative impacts on citizens via macroeconomic shocks and instability of government revenues. The economic challenge includes fiscal and monetary disequilibria and a persistent rise in the general level of prices, increases in exchange rates detrimental to other export sectors, diminished capita flights and private investments, causing negative shocks for the entire country, but more for the proletariat (Sinha and Lipton, 1999). On the other hand, instability of government revenue decreases the time frame of individuals influenced by government programmes. This scenario is a matter of concern irrespective of how the revenue is squandered.

Oil wealth in Nigeria since the 1970s has to date caused dramatic unemployment for vast numbers of the population, by causing Dutch Disease (Corden and Neary, 1982; Neary and van Wijnbergen, 1986; Sachs and Warner, 2001). Dutch Disease is a circumstance where a booming mineral sector hikes the real exchange rate and the cost of inputs for the manufacturing and agricultural sectors. These scenarios increase the price and hence decrease the international competitiveness of exports from the manufacturing and agricultural sectors. According to Karl (2007), Dutch Disease was named after the negative effects of the North Sea oil boom on industrial production in the Netherlands; this phenomenon occurs when resource booms cause real exchange rates to rise and labour and capital to migrate to the booming sector. This results in higher costs and reduced competitiveness for domestically produced goods and services, effectively 'crowding out' previously productive sectors.

Evidence has shown that resource-abundant nations, such as Nigeria, have higher income inequality (Learner et al., 1999; Spilberg et al., 1999). Ultimately, when there is a shortfall in initial inequality, growth will minimise poverty almost twice as much when inequality is high (World Bank, 2001:55). Nigeria is one of the countries with high inequality rates. The inequality rates increased in the mid-1980s to the late 1990s. The oil sector was responsible for the hike in the inequality rate. Most endowed oil countries generate huge revenues for the government or shareholders, but only a few job opportunities are created and this thus results in high inequality. Fewer than 5% of Nigerians and those from the Niger Delta were fortunate enough to be employed. Moreover, fewer than 1% of women from the Niger Delta were employed. Over 95% of employees working in the multinational oil companies were non-Nigerians (Brisibe, 2001).

Also, countries with abundant oil resources tend to undermine democratisation. According to Sen (1981), democracy assists government to end famine. In the words of

Przeworski et al. (2000), democracy minimises infant mortality and improves social welfare by facilitating stabilisation of policies. Baum and Lake (2003) posited that democracy increases life expectancy in poor countries. Evidence has shown that oil-rich countries subject states to less democratisation (Ross 2001a; Lam and Wanchekon, 1999).

There is an increased danger of civil war in oil-rich nations. Collier and Hoeffler (1988) considered that countries depending on oil sharply raise their war risks. This view was supported by Fearon and Laitin (2003) and de Soysa (2002). For example, the Nigerian civil war *the Biafran War of 1967–1970* was motivated for no greater reason than disagreement over sharing of oil revenues. Violence and uprising in the Niger Delta became the order of the day, leading to kidnapping of foreign workers for ransoms tagged *hostage taking*. Hamilton et al. (2004:2) revealed that, in the Niger Delta, violence killed about 1000 people annually between 1999 and 2004.

Renner (2005:1) reveals that resource-driven conflicts exterminated over five million people, compelled five to six million people to migrate to neighbouring countries, and caused instability within countries which resulted in displacement of about 15 million people inside the boundaries of their home countries in the 1990s. In the 1990s, rebels, warlords and corrupt governments earned an estimated US\$12 billion worldwide in revenues from sales of their country's resources. Civil conflict is endemic and high in Africa due to endowment of resources and resource dependence (Collier and Hoeffler, 2001:563-573; Elbadawi and Sambanis, 2000:244-269).

3.2.9 Oil and the Nigerian environment

Definition of the Niger Delta region of Nigeria

Tamuno (1999), an authority on Nigerian history and an outstanding scholar from the region, considered that finding a more appropriate term than the conventional 'Niger Delta' was problematic. However, some individuals have defined the Niger Delta in

terms of its ethnography as the region is densely populated by the Ijaw and a variety of smaller ethnic groups, including the Itsekiri, the Urhobo and the Isoko ethnic groups in the western part of the Niger Delta. This definition is controversial for a territory with precisely defined frontiers, as the Ijaw ethnic groups have been found scattered far beyond the Delta, and other ethnic groups living at the extremes of the Delta.

These controversial circumstances led Tamuno (1999:3) to posit that:

linguistically, ethnographically, culturally, the Niger Delta of the pre-crude oil and gas regime consists of a bewildering mix of ethnic groups among which the communities of Ijo (in eastern, western and central Niger Delta), the Ogoni, Itsekiri, Urhobo, Isoko, Ikwerre and Delta Igbo hit more headlines and covered electronic waves more than others.

He further revealed that the Niger Delta is about 70,000 sq km. But the World Bank (1995) declared the Niger Delta to be 20,000 sq km, indicating a 50,000 sq km disparity. However, the recent Niger Delta Development Bill equates the Niger Delta with the South-South geographical zone consisting of Bayelsa, Cross River and Akwa Ibom States, Delta, Edo, Rivers, Abia, Ondo and Imo State.

Table 5 shows a map of the Niger Delta with languages, peoples and cultures.

This map illustrates the distribution of major language groups in the Niger Delta region. The groups are categorized into Yoruboid, Edoid, Ijoid, Igboid, Kegboid (Ogoni), Lower Cross, and Central Delta. The map also shows the Atlantic Ocean, major cities like Lagos, Benin, Warri, Port Harcourt, and Calabar, and various ethnic groups such as Yoruba, Igbos, and Ibibios. A scale bar indicates distances up to 200 Kilometres.

Source:

Over decades, the oil industry has contributed immensely to the Nigerian economy, the creation of employment opportunities, local expenditure on goods and services and contribution to government revenue, and has increased GDP and foreign exchange reserves and the supply of energy to industry and commerce (Odulara, 2008), and contributed to the socioeconomic benefits of Nigeria (Aigbedion et al., 2007). However, if we move from the economic contributions to the long-lasting impact on the environment, a completely different picture emerges, which shows that the abundant oil wealth is yet to positively impact on Nigeria's environment. The negative effects are considered with respect to the surrounding communities within which oil exploration and exploitation have been carried out. Thus, Annegarn and Ololade (2013) explained that researchers (such as Ainoo et al., 2009; Mara and Pressend, 2001) have studied different types of mining around the world and concluded that the impacts are often significant and severe, and that communities residing near the mining areas are most

seriously affected. This is seen from the evidence which suggests that environmental destruction worldwide is increasing (Mandula and Blockstein, 1992). In addition, environmental degradation is a rapidly growing constraint in the international community (Ulhoi et al., 1996). Ulhoi et al., (1996) argued that the phenomenon not only threatens the possibility of potential development, but threatens to undermine the economic development of society at large. The destruction and pollution of the Niger Delta region by multinational corporations engaging in oil exploration and exploitation has created ecological and human disaster in the region (Inyang and Awak-Essien, 1995). The most insensitive aspect of the oil companies' operations is flaring of gas in the middle of villages. This action has affected wildlife and the ecosystem causing various discomforts and misery, particularly when the wind carries fumes, heat and combustion gases to communities (Umobong and Micah, 2013). These developments have led to the suggestion by Des Jardins (1999; Byrne, 2014:609-621) that *business has a responsibility not to intentionally or negligently cause harm to others. When such harms do occur, business has a responsibility to compensate individuals who are harmed by its negligent*, which resonates with views by Gibson (2006:334-348) that, because of the increasing awareness of damaging long-term effects on entire communities, many local residents and advocacy groups are bringing pressure to bear on mining and exploration companies to accept accountability for environmental impact to bring about lasting development that will benefit the area as a whole, during mining or exploration and after the operations.

Peters and King (1989) confirmed that there was oil spilled in the Niger Delta region of Nigeria and that such spills are the result of human error and sabotage; hence, the quantity of crude oil shipped by sea continuously increases in parallel with the volume of offshore production spill (Bradley, 1974:338-59). For instance, the Nigerian coast line between Bakassi, Port Harcourt and Lagos is heavily affected by marine oil spills

(Asuquo et al., 1995:16-18), and this minimises the potential for these to become recreation areas. Besides marine spills, the navigational waters are affected by the release of oil from ships and other sources in the areas (Ola, 1984; Inyang and Awak-Essien, 1995). There are numerous dangers associated with oil pollution which include damage to property, flora and fauna, and marine life (Hawkes, 1972:295-302; Inyang and Awak-Essien, 1995; Clerk et al., 1997:7310). In the Niger Delta, the Ogoni's political crises triggered because of environmental challenges caused by oil exploration by multinational corporations in the area (Ogri, 2001:11-21). It is worth noting that the negative impact of oil spillages is one of the main characteristics of the oil industry (Jaiyemisi and Pugh Thomas, 1994:257-67). Apart from oil spillages in the Niger Delta, oil leakage has also destroyed and polluted the soil, farmland and mangrove swamps, which has resulted in loss of economic activities such as farming and fishing and the livelihood of the inhabitants within the communities (Ezeanyin and Okereke, 1995; Ewusie, 1980).

According to the head of Nigeria's oil spill response agency, an additional 2405 spills by all major oil companies in the Niger Delta region occurred between 2006 and 2010 (Musa, 2010). There are numerous reasons responsible for this huge number of spills, including a crumbling, ageing oil infrastructure and outright sabotage by thieves and warring rebel groups; also, corroding pipes caused a spill in May, 2010, that leaked about 232 barrel of crude (BBC, 2010). It was also discovered that some oil spills in the Niger Delta are as a result of blowouts, corrosion, equipment failure and operational error (Eyinla and Ekpo, 2006). Similarly, a UNEP report shows that 50% of oil spills in Nigeria are due to corrosion of oil infrastructure, engineering drills, inability to effectively control oil wells and failure of machines. In a similar vein, CNN reporter Smith (2012) stated that four farmers including and environmental group, Friends of the Earth (FoE) took oil giant Shell to court to demand a proper clean-up and compensation

for pollution in the Niger Delta. The local communities affected include Goi, hit by a spill in 2004, Oruma in 2005, and Ikot Ada Udo, hit by spills in 2007. According to the Nigerian government's estimates, there were over 7000 spills, large and small, between 1970 and 2000; approximately 7000 spills over 30 years is 233 spills a year, and some leakages have been occurring for years (Clyde, 2010).

In spite of the fact that petroleum oil exploration has caused marine, land and water pollution in the Niger Delta, it also creates a negative impact on the quality of air, especially in the Port Harcourt area where refineries and petrochemical industries are located (Hatch and Matter, 1994).

3.3 Multinational oil company governance and sustainability in the Niger Delta

3.3.1 Introduction

This section reviews governance for sustainability and MNOCs in the Niger Delta. To achieve these objectives, I further divide the section into five subsections. Section one deals with definitions of concepts such as governance and corporate governance, corporate sustainability, sustainable development, and governance for sustainability. Section two discusses the relationships of governance with sustainability. Section three focuses on management theories underpinning governance for economic, social and environmental sustainability of MNOCs in the Niger Delta. Section four explores partnership as an effective tool of governance for sustainability in the Niger Delta. Section five focuses on efforts of the federal government of Nigeria to enhance SD in the Niger Delta.

3.3.2 Definition of concepts

To commence the literature on governance for sustainability, it is worthwhile to pose the question: what is governance and corporate governance? Benn and Bolton (2011:9-

35) perceived governance to be managing competing corporate interests for the organisation, for the wider good of society, and for the planet as a whole. Corporate governance, meanwhile, consists of the mechanisms and frameworks necessary for corporate decision-making (Clarke and Branson, 2012). For example, corporate governance in the context of this study emphasises the relationship between the oil companies and local communities, the implementation of agreements reached with local communities by oil companies, partnerships with local communities by oil companies, regular meetings with local communities, and voice and agency in local communities of the Niger Delta. However, governance is a paramount tool for corporate sustainability. The Dow Jones Sustainability Index (1999:2) defined corporate sustainability as *a business approach that creates long-term shareholder value by embracing opportunities and managing risks deriving from economic, environmental and social development*. Similarly, corporate sustainability is the efficient utilisation of resources and generation of wealth by MNOCs operating in the Niger Delta so as to contribute to a healthy economy, society and healthy environment (Clarke & Branson, 2012). What, then, is sustainable development (SD) and sustainable governance (SG)? How do we describe governance for sustainability? The World Commission for Environment and Development (WCED, 1987:43) defined SD as *development that meets the needs of the present without compromising the ability of future generations to meet their own needs*. Sustainable governance is the set of written and unwritten rules that link ecological citizenship with institutions and norms of government (Taylor et al., 2002:7-18). Meanwhile, governance for sustainability can be described as the awareness of citizenship to realise rights and duties towards the community (Taylor et al., 2002:7-18). Rights are paramount for the protection of individual personal freedoms such as social, democratic and economic, including the fundamental right to participate in public decision-making. On the other hand, duties are significant to guarantee the functioning

and welfare of the community, including the fundamental duty to respect ecological frontiers so as to be able to sustain the community. Another critical question is: how do governance and sustainability relate?

3.3.3 Relationship of governance and sustainability

According to Taylor et al. (2002:7-18), the concepts of democratic governance and sustainability are indispensable and cannot be achieved without each other. This assertion was underpinned in the findings of a quantitative study on corporate governance and sustainable development in 'Nigeria – A Study of Oil Companies in the Niger Delta', by Micah and Umobong (2013:7), which rejected the null hypothesis that governance has a significant relationship with sustainability. Governance provides a blueprint of how organisations manage their social, human rights, corruption, risk management and environmental practices (Smith, 2011:11). For multinational oil companies (MNOCs) to effectively engage in sustainability in the Niger Delta, they have to properly define and constitute their governance strategies. This is because sustainability and good governance are interdependent with each other (Idemudia, 2014:177-187). Good governance refers to openness, participation, accountability, predictability, and transparency. The United Nations Development Programme (UNDP, 2006:35) defines good governance as *not only ridding societies of corruption, but also giving people the rights, the means, and the capacity to participate in the decisions that affect their lives and to hold their government accountable for what they do*. In short, it refers to fair and just democratic governance. These therefore demonstrate that the concept of democracy must be put in place, with accepted principles of freedom, equity, justice and sustainability (Taylor et al., 2002:7-18).

For example, the internal democratic governance of a company consists of representatives of employees and shareholders preventing their CEO from exercising excess power and creating more awareness about financial and human resources and

reputational risk factors (Kochan, 2003:223-231). External democratic governance comprises positive community relationships with non-governmental organisations (NGOs), and other stakeholder partnerships to establish a strategic resource that would enhance the companies' *licence to operate and expand* (Elkington, 1998:1-407).

However, effective sustainability can better be achieved through democratic forms of governance such as *discursive democracy* (Habermas, 1984:3-6), *deliberative democracy* (Elster, 1998:1-296), *substantive democracy* (Bello, 1997:171), *cosmopolitan democracy* (Held, 1995), *normative democracy* (Falk, 2004:163-172), *ecological democracy* (Morrison, 1995:1-281), *sustainable democracy* (Przeworski, 1995:1) or *earth democracy* (Shiva, 2006:145) which emerge from political theories in governance (Taylor et al., 2002:7-18). However, it has been argued by some scholars that democratic process must be institutionalised to enhance sustainability, and that it is not possible to achieve effective sustainability with democratic governance alone unless and until the principle of ecological citizenship guides all forms and levels of public decision-making (Taylor et al., 2002:7-18). These assertions were underpinned by the Earth Charter (2002:1) – that democratic governance is not perceived as an end in itself, but as a means towards achieving sustainability. It is paramount to note that the term 'sustainable' has been used to refer to concepts including sustainable development (SD), sustainable economic growth (SEG), sustainable communities (SC) and sustainable energy production.

Dumphy et al. (2007:9-35) highlighted that good governance and innovations are the major determinants of sustainability. However, effective governance can be used to achieve the three basic elements of sustainability highlighted by Benn and Bolton (2011:9-35), below:

- (1) Economic sustainability: the ability of the MNOCs in the Niger Delta to be financially healthy. In the case of a public company: it should

make sufficient return on investment (ROI) for investors and stakeholders.

- (2) Social sustainability: requires MNOCs in the Niger Delta to create a supportive and developmental environment for staff, and also meet with the expectations of key external stakeholders.
- (3) Environmental sustainability: it is expected that MNOCs in the Niger Delta will avoid and eliminate any negative impact on the natural environment and contribute actively to the health of the biosphere (Dumphy, Griffiths and Benn, 2007:9-35).

3.3.4 Management theories underpinning governance for economic, social and environmental sustainability of MNOCs in the Niger Delta

There are numerous management theories, but I will mention six popular management theories which have addressed governance for sustainability. The six basic management theories consist of strategic management theory, resource-based theory, stakeholder theory (already discussed in chapter two section 2.2), instrumental theory, narrative theory and leadership theory. However, only strategic management theory, narrative theory and leadership theory will be discussed in this study.

Before I proceed to discuss the three theories in succession, there is the need to pose the question: how relevant are these theories in enhancing effective governance for sustainability by MNOCs in the Niger Delta? Answers to this question will be elaborated within the context of these theories explicated below.

- **Strategic management (SM)**

Is the systematic analysis of the factors associated with the customers, local communities and competitors (the external environment) and the organisation itself (the internal environment) to provide the basis for maintaining optimum management practices (Business Dictionary.com, 2012). MNOCs that engage in strategic

management generally outperform those that do not (Hunger and Wheelen, 2011). SM is used by MNOCs as one way to make the environment more manageable. This takes us back to the question of how relevant these theories are. SM theory enables MNOCs to stay informed about demographic, cultural, and political changes and general forces in the natural and social environment, and to identify stakeholder groups such as customers, local communities and competitors in the task environment that affects their business (Piccolo, 2011).

In the past, the crude or traditional strategic management approach did not recognise ecological and democratic governance (Bubna-Litic and Benn, 2003). But recent political theory such as ecological modernisation theory incorporates the principle of strategic management into its framework for inclusion of economic, social and environmental decision-making (Mol and Sonnenfeld, 2000) with other theories such as industrial ecology (Ehrenfeld, 2000) and natural capitalism models (Hawken, Lovins and Lovins, 1999) to argue that both economic and environmental sustainability can be implemented at the same time by MNOCs in the Niger Delta.

The democratisation of governance for sustainability over time was overshadowed by modern powerful radical macro-governance theories (Benn & Dumphy, 2007) to include reflexive modernisation (Backstrand, 2003; Beck, 1992; Beck, Giddens and Lash, 1994), deliberative democracy (Habermas, 1984; Miller, 1993), radical pluralism (Wenman, 2003), new institutionalism (March and Olsen, 1984; Peters, 1999) and ecological democracy (Dryzek, 2005), some of the political theories that have emerged to address the governance of social and environmental risk appropriately.

However, do the MNOCs in the Niger Delta democratise their governance for sustainability? Second, how can MNOCs achieve effective governance for sustainability in the Niger Delta? Third, does the governance for sustainability embarked upon by MNOCs in the Niger Delta enhance their integrity in local communities? To answer the

first question, let me consider the views of Onweazu (2012): that governance for sustainability is achieved only if it is democratic. According to Owolabi (2009), democracy is an ethical concept which states that it is right and perfectly proper for all citizens to participate in the process of development. It therefore suggests that governance for sustainability is only feasible and achievable if the local communities in the Niger Delta who need development define their needs and are given the opportunity by MNOCs to participate actively in the process of achieving those needs. This is the main reason for cautioning MNOCs against agendas that are not commensurate with the substantive needs of local communities (Bank and Shenton, 2001).

For MNOCs to achieve effective governance for sustainability in the Niger Delta, it is thus imperative to accept the paradigm of ethics in governance for sustainability. These assertions were underpinned by Cornelius et al. (2008) who stated that ethical policy and ethical principle are the bedrock upon which CSR policy should be developed. They further explain that ethical policy and mission should precede CSR policy, and that CA provides a clear philosophical and ethical position, from which both ethical policy and CSR policy can be developed, and, therefore, an ethical policy is key to building social responsibility capacity (Cornelius et al., 2008).

For example, MNOCs in the Niger Delta should realise that achieving sustainability would be difficult unless and until development ethics (DE) is put in place to guide the development project. In addition, MNOCs must internalise ethical practices by committing themselves to environmentally safe activities (Takala and Pallab, 2000:114). DE is the ability to rethink the idea of development within the context of the failure of the project (Onweazu, 2012).

To internalise ethical practices, MNOCs in the Niger Delta must adopt codes of conduct and ethics in their operations, especially in social and environmental reporting such as ISO 9000 and AA 1000 for product quality and stakeholder engagement (Cornelius et

al., 2008). These ideas have been strongly supported by scholars from Asia, Latin America and even Africa (Owolabi, 2009). Similar to this view is the assertion by Goulet (1998) that development projects do not yield fruitful results because of consistent neglect of the ethical dimension of development. DE further recognises that ordinary economic growth that is not translated into the realisation of the common good is not just unsustainable but a *de-development* because those that need the development cannot benefit from it (Owolabi et al., 2009). DE further maintains that its ideas are not universal, but, rather, relative to societal preferences and value systems, and therefore it is societal value that determines the concepts of development (Onweazu, 2012).

To ascertain whether or not the governance for sustainability by MNOCs in the Niger Delta enhances their integrity, it is pertinent to define integrity. Integrity is the strength which involves a reputation for truthfulness, honesty and consciousness (Ahiauzu, 2003). This definition of integrity is relevant because it explicates the trustworthiness of MNOCs in the Niger Delta and individuals in any society. In Werhane and Freeman's (1997) definition of integrity, they focus on the quality of moral self-governance at individual, group and local community level. According to Secretan (2001), MNOCs who build their governance for sustainability around integrity ethics would achieve a quantum leap in effectiveness. It is in this respect that Ejiofor (1987) asserted that integrity is rooted in moral conviction, and therefore paramount for the success of MNOCs in the Niger Delta. MNOCs in the Niger Delta must build a strong corporate culture of governance for sustainability around integrity ethics to be able to develop positive relationship with local communities.

Another key area that cannot be left out in the discussion of governance for sustainability by MNOCs in the Niger Delta is *voice and agency* in the capability approach (CA) (Sen, 1992, 1999; Nussbaum, 1999). These are political paradigms which provide the opportunity to local communities in the Niger Delta to be heard, and

to express their feelings and needs about sustainable development activities of MNOCs that could impact on their lives (Sen, 1992, 1999; Nussbaum, 1999). But do the MNOCs consider the political paradigms of *voices and agency* in sustainability programmes in local communities of the Niger Delta? Do the MNOCs generally listen to local communities? Do local community chiefs negotiate with the oil companies on behalf of the local communities in the Niger Delta? Do MNOCs allow the people of the local communities to participate in the decision-making processes that could impact on their lives? These are some of the questions raised by *voice and agency*.

- **Narrative theory**

Narrative theory is an approach to knowledge that opens new methods and ideas for MNOCs committed to the empowerment of the social agenda in local communities of the Niger Delta (Rappapourt, 1995). Community narratives therefore, are a powerful force for personal and social transformation, assisting people to identify, create, and tell their own stories individually and collectively in line with development of empowerment (Rappapourt, 1995). Empowerment refers to an intentional, ongoing process centred in the local community, involving mutual respect, critical reflection, caring and group participation, through which people lacking an equal share of valued resources gain greater access to, and control over, these resources (Cornell University Empowerment Group, 1989:2). The main objectives of empowerment are achieved when people discover, or create and give voice to, a collective narrative that sustains their own personal life story in a positive manner. Also, narrative theory could be used by those who engage in organisational development and community development programmes (Fawcett et al., 1995; Kroeker, 1995; McMillan, Florin, Stevenson, Kerman and Mitchell, 1995; Rich, Edelstein, Haliman and Wandersman, 1995; Speer and Hughley, 1995). Narratives, however, could assist MNOCs operating in the Niger Delta to understand how communities were created, and the influence of these stories on

their identity, behaviour and social transformation. Narratives require collaboration between local communities and MNOCs to achieve the *indigenous expression of community approaches in the Niger Delta* (Kelly, 1990). This would also assist MNOCs to listen to, amplify, and give value to the stories of their host communities. Additionally, evidence from numerous studies suggests that narratives create meaning (Bruner, 1993), emotion (Lazarus, Speisman, Mordkoff and Davidson, 1962), memory (Bower and Clark, 1969; Shank, 1990; Shank Abelson, 1995), and identity (Mankowski and Rappapourt, 1995).

For example, to achieve effective governance for sustainability in the Niger Delta, MNOCs must explore community narratives to comprehend the needs of the communities through meetings, establish positive relationships and implement their programmes in local communities. Narrative theory lends support as a methodology in line with empowerment of people in addition to the content discovered, and the meta-communication that follows from listening to and giving respect to the stories of people's lives tends in itself to be an experience that could change the role relationship of MNOCs from being a guest to a member of the community (Rappapourt, 1995).

- **Leadership theory**

The MNOCs operating in the Niger Delta must explore ethical leadership theory to succeed in their quest to achieve sustainable community development (SCD) through governance for sustainability. The main reasons why MNOCs must adopt ethical leadership are as follows. First, ethical leadership provides a clear, consistent message that ethics and social responsibility are valued in the firm, and thus results in the formation of moral community, where workers share these values and principles (Sama & Shoaf, 2008). Second, ethical leadership checks against monopolistic practices that would otherwise harm public welfare are key (Sama and Shoaf, 2008). Ethical leadership emanates from transformational leadership with the vision of achieving

moral good, and core values of integrity, trust, and moral rectitude (Sama and Shoaf, 2008). Ethical leaders therefore, encourage others in the organisation to behave in similarly ethical ways, and they are persuasive in their communities to effect change in the direction of positive moral goals (Sama and Shoaf, 2008). Additionally, the ethical leaders are the custodians of moral intelligence. Moral intelligence at the individual level is the stage of moral development which recognises rules as aspects of social contract, and elevates the social contract above the moral minimum law (Kohlberg, 1969). Moreover, ethical intelligence encourages ethical leadership to continuously engage in conduct consistent with doing the right thing, and recognising one's moral responsibilities towards members of a community (Ciulla, 2005; Rost, 1995).

However, ethical leadership avoids unethical behaviours which utilise moral rationalisation that denies the consequences of decisions with an ethical impact (Nash, 1993; 2001). Therefore, the adoption of an ethical leadership style by MNOCs in the Niger Delta would assist them greatly in knowing when a decision has moral consequences, and guide them to effectively deploy ethical decision-making strategies that consider more than mere bottom-line results, and to comprehend the full consequences of utilitarian decision-making that may not fully account for the social costs of a decision (Sama and Shoaf, 2008). The call for the critical use of ethical leadership by MNOCs operating in the Niger Delta is paramount, as this would confer on them the long-held tradition of self-regulation on CSR and SD, giving them more requisite flexibility and creativity than the legal framework of the Nigerian government. Nevertheless, effective application of ethical leadership in local communities by MNOCs in the Niger Delta would promote a focus on sustainable core values rather than contingent rewards and bottom-line results (Ciulla, 1998; Collins and Porras, 1996; Gini, 1998).

3.3.5 Partnership: MNOCs' effective tool of governance for sustainability in the Niger Delta

According to Idemudia (2009), MNOCs adopted partnership because of the need to reduce the skyrocketing cost of community relations and address the gaps associated with the previous strategies. Cornelius and Wallace (2011) stipulated that partnership rightly encourages community participation in partnership governance (Cornelius and Wallace, 2011; Nwagbara et al., 2014). Other scholars such as Hull (2000) have strongly argued in favour of certain factors that must be put in place to enable local communities in the Niger Delta to shape their destiny. In addition, Hull (2000) came up with toolkit of practical actions that would enhance governance through partnerships for sustainable social improvement by MNOCs in the Niger Delta. She pinpointed network and capacity building, improving the basics of housing estate management, creation of honest and dedicated community teams, production of community action plans, sourcing funds with a community remit, integration of local community into wider community, and ensuring sustainability of successful strategies. The plethora of factors and characteristics emphasised by Hull (2000) above are aimed at improving the social capital and social good of the local communities in the Niger Delta where MNOCs carry out oil exploration and production activities.

Cornelius and Wallace (2011) defined social good as the engine for enhancing community capacity to define and utilise the social and economic goods that will improve their lives and sustain momentum after the project funds have run out (Cornelius and Wallace, 2011). This definition demonstrates the need for MNOCs in the Niger Delta to make the necessary contact with the local communities via partnership prior to embarking on the provision of a toolkit highlighted by Hull (2000), to determine the needs of the local communities, to evaluate the available toolkits in order to match the desires of the local communities, and to avoid duplication of these. This is because

community voice is paramount, remains top outside of governance and agenda-shaping structures (Cornelius and Wallace, 2011).

The call by Hull (2000) for effective governance for sustainability through partnership was reinforced by numerous scholars (Diamond, 2010; Robinson et al., 2005; Sandoval, 2010). Other scholars such as Cornelius and Wallace (2011) echoed the view that MNOCs in the Niger Delta should reflect the factors of the Hull (2000) toolkit in their strategy, policy and governance structure of partnerships if the local communities in the Niger Delta are to benefit from governance for sustainability.

3.3.6 Efforts of the Federal Government of Nigeria to enhance sustainable development in the Niger Delta

The quest for sustainable development (SD) in the Niger Delta region by the federal government of Nigeria has become mandatory for three reasons. First, the Niger Delta region is the hub of the Nigerian economy. Second, the Nigerian economy today is heavily dependent on oil and gas produced in the Niger Delta region. Third, the revenue generated from oil exploration and production in the Niger Delta region accounts for 97.5% of foreign exchange earnings, and about 80% of government revenues. The next question is: what efforts have been put in place by the federal government of Nigeria to enhance SD in the Niger Delta? Various governments in Nigeria have initiated developmental programmes aimed at enhancing SD and minimising poverty in the Niger Delta (Amadi, 2012). Even though the efforts of various governments have yielded negative results due to corruption, misapplication of development resources, and bad governance (Osuntokun, 2000:5), Nigeria's government has not relented, but rather gone on to establish agencies and environmental regulations to enhance the SD of the region. To discuss these, I will begin with the agencies of development and proceed to succinctly explicating the environmental regulations. The agencies of development in the Niger Delta established by the Nigerian government include: the Niger Delta

Development Commission (NDDC), the Ministry of Niger Delta Affairs (MNDA), the amnesty programme, the National Oil Spill Detection and Response Agency (NOSDRA), the Senate Committee on Niger Delta, and the House Committee on Niger Delta

- **Establishment of environmental regulations**

The Nigerian government, under various regimes, created numerous environmental regulations to enhance sustainable development in Nigeria and in the Niger Delta region. The questions now are: why these regulations? And what is the basis for environmental policy in Nigeria? According to the Environmental Law Research Institute (ELRI, 2012), legislation is an effective instrument for environmental protection, planning, and pollution prevention and control. The basis of environmental policy in Nigeria is succinctly contained in the 1999 Constitution of the Federal Republic of Nigeria – section 20 stipulates that the state is empowered to protect and improve the environment and safeguard the water, air, and land, forest and wildlife of Nigeria (Makinde and Adeyoke, 2007).

These regulations are paramount for controlling the activities of MNOCs and enhancing SD in the Niger Delta region. Prominent amongst these laws include:

National Environmental Standard and Regulation Enforcement Agency (NESREA) Act 2007; Environmental Impact Assessment (EIA) Act CAP E12, LFN 2004; Nigerian Mining Corporation Act, Oil Pipeline Act, CAP 07, LFN 2004; Petroleum Act, CAP P10 2006; Oil Pipelines Regulation (Under Oil Pipelines Act); Petroleum Drilling and Production Regulations; Petroleum Refining Regulation; Petroleum Products and Distribution Act, CAP P12, LFN 2004; Minerals Oil Safety Regulation and Crude Oil Transportation and Shipment Regulation; Oil in Navigable water Act, CAP 06, LFN 2004; Hydrocarbon, Oil Refineries Act, CAP H5, LFN 2004; Associated Gas Re-injection Act, CAP 20, LFN 2004; The Endangered Species Act, CAP E9, LFN

2004; Inland Fisheries Act, CAP 110, LFN 2004; Sea Fisheries Act, CAP 84, LFN 2004.

However, there are other environmental regulations put in place by the federal government of Nigeria which are too numerous to mention in the context of this study. In spite of the preceding efforts by the Nigerian government to enhance SD in the Niger, experts have believed some of these regulations to be too weak. For example, experts believed that the Nigerian Oil Spill Law was too weak to ensure adequate compensation to the communities in the case of damages to their properties by the MNOCs (The Guardian, 6th February, 2013). This development brought about a growing consensus within government, oil companies and civil society that the current system for dealing with oil spills needs urgent attention.

Similarly, some initiatives by the Nigerian government have negatively affected the oil industry. These consist of an environmental framework and regulatory framework.

- **Environmental framework**

The Nigerian environmental regulators, mainly the Federal Ministry of the Environment, the National Environmental Standards and Regulatory Enforcement Agency (NESREA) and the National Oil Spill Detection and Response Agency (NOSDRA), lack adequate equipment and human resources to carry out their programmes effectively. The Federal Ministry of the Environment, NESREA and NOSDRA depend on oil companies for flights and other logistics for their operations (Bassey, 2013). Other challenges of the environmental framework include poor pay for salaries and other benefits such as insurance, residential allowances for staff, poor quality of personnel, and training (Alemagi, 2007). Alemagi (2007) reveals that, apart from independent funding for research in the geological departments of universities, there has been little other fundamental and strategic environmental research pertaining to the local oil industry (Alemagi, 2007). Evidence has shown that the Nigerian

government has not bothered to integrate the local oil-producing communities to effectively carry out sufficient environmental impact assessment (EIA) to enhance SD in most local oil communities (Ojo, 2011; Raji and Abejide, 2014). For example, Environmental Rights Action / Friends of the Earth Nigeria (ERA / FoEN) pointed out that the Nigerian government and bitumen companies were making efforts on the mineral exploitation and no plans in place for EIA and consultation with the communities, and by implication the raising of the standard of lives of people in communities where their project would be sited was not prioritised (Alemagi, 2007; Okonji, 2011). These developments led to provocative utterances by Ojo (2011) that the evil of oil in the Niger Delta should not be visited on bitumen communities and that government and oil companies should avert from further divide and rule tactics in oil communities (Ojo, 2011).

- **Regulatory framework**

The CSR and SD regulation of the Nigerian oil companies by the Department of Petroleum Resources (DPR), a child of Ministry of Petroleum Resources, is another challenge of the CSR / SD programmes of oil companies in the Niger Delta. The Nigerian National Petroleum Corporation (NNPC) is a subsidiary of the Ministry of Petroleum Resources and is engaged in oil exploration and production. So the situation becomes such that a polluter is superintending other polluters. The NNPC qualifies as a key polluter (Bassey, 2013). In a nutshell, is it appropriate or right for a key polluter to superintend other polluters (oil companies) on CSR / SD initiatives and compliance in the Niger Delta? No, because they are all polluters and this will affect the initiative, supervision and control of the superintendent making it daunting and this is the situation in Nigeria today.

However, it is realistic to believe that the activities of the oil industry inflict environmental harm on numerous fronts. Therefore, a specific and strong environmental

law needs to be in place to protect the oil communities in the Niger Delta. The state of the regulatory framework in the Niger Delta today calls into question the overall effectiveness of the Nigerian government's regulatory frameworks in the oil industry.

3.3.7 Chapter summary

This chapter covered the history of business warfare of the Royal Niger Company against indigenes of Niger, Benue, Oil Rivers and Hausa States and the foundation of corporate social irresponsibility in Nigeria and the demonstration of the Machiavellian strategies, brutality and wickedness of the RNC to dominate the commercial activities of the natives. This was then followed by an overview and general description of the Federal Republic of Nigeria. Finally, it discussed MNOCs' governance and sustainability in the Niger Delta including efforts by the federal government of Nigeria to enhance sustainable development in the Niger Delta, which leads on to further discussion in the methodology chapter.

4 CHAPTER FOUR: METHODOLOGY

4.1 Introduction

This chapter presents the methodology of the study. I have split the chapter into six sections, beginning with section one on the philosophical paradigm comprising the ontological and epistemological position of the research, the social construction of CSR, the research tradition of the interpretivist approach and the modification of construction on grounded theory focusing on the subaltern (postcolonial theory). Section two accounts for the research method and section three the research design. Section four focuses on sources of data and section five on data analysis and fieldwork report. Finally, section six emphasises research validity and reliability, ethical considerations and methodological limitations.

4.2 Philosophical paradigm

4.2.1 The ontological and epistemological position of the research

To delve into the discussion of ontological and epistemological positions of this research, it is worth explicating the meaning of ontology, epistemology and the questions they address. Ontology focuses on the nature of reality (Saunders et al., 2007), while epistemology encapsulates an acceptable theory of knowledge in the field of study (Saunders et al., 2007). However, these paradigms of ontology and epistemology, which constitute the normative research methodologies (Neuman, 2000; Crotty, 1998), are concerned with certain questions.

For epistemology, these questions are akin to *how do we know what we know? And what counts as knowledge?* It thus sheds light on the relationship between the knower and what is known – the characteristics, principles and assumptions that guide the process of knowing and the achievement of findings (Vasilachis de Gialdino, 2009). This coincides with the views of Guba and Lincoln (1994:108) that the epistemological

paradigm raises epistemological questions. For instance, *what is the most recognisable or should be the most recognisable knowledge in a discipline? And can the social world be studied using natural scientific methods of investigations? Or the adoption of a realist approach?*

On the other hand, the ontological paradigm raises ontological questions. For instance, *can social entities be considered objective entities with realities external to social actors? Or should social entities be considered as subjective from the meanings and actions of the social actors?* It is paramount to note that determining the choice of philosophical position is influenced by practical considerations (Saunders et al., 2007).

Ontology can further be enunciated from three angles. The first is objectivism, which suggests that reality and meaning can be found in their object, and it is achieved through positivist investigation. The second ontological aspect is subjectivism, which perceives of reality and meaning as being imposed upon the object by the subject with the perception that objects in the social world are meaningless before and independent of any consciousness they hold (Crotty, 2003:27).

The third view is social constructionism, with ideas and perceptions contrary to those of objectivism (Swandt, 1994:125). Hence, social construction disavows objectivism. It thus emphasises the systems utilised by people to interpret the world based on experience. In my perception, however, social constructionism is concerned with the phenomena of the social and cultural world and its meanings are not objective, but, rather, created as a result of social interaction and, therefore, are socially constructed. Berger and Luckmann (1966) argued that the social world is socially constructed. This study takes the view that there is sufficiency within the social constructionist perspective. The researcher subscribes to this perspective of social constructivist (Charmaz, 2006) because CSR and SD are socially constructed, and it therefore underpins this research.

4.2.2 The social construction of corporate social responsibility

Social construction emanates from the work of Karl Mannheim (1893–1947) and Berger and Luckmann (1966:1-24). Corporate social responsibility and sustainable development are socially constructed (O'Donovan, 2002:344-371), because firms' behaviours emanate from interpretations of responsibility (Hajer, 1997; Laine, 2005). These interpretations are paramount to comprehending the CSR choices of the firms. Thus, evidence has shown that firms in different industries and countries may construct similar macro views of corporate responsibility (Livesey and Keams, 2002). According to them, behaviour disparities may exist between Europe and the United States of America (Matten and Moon, 2008), and firms within the same country may interpret the meaning of sustainable development in different ways (Laine, 2005). These assertions by Matten and Moon (2008) are vindicated in Dahlsrud (2008), who provided 37 definitions of CSR by 27 authors from America, Europe, India and Canada within the period 1980–2003, and each with distinct perspectives. However, the definitions were socially constructed with different meanings and interpretations based on how the authors viewed the objects and the subjects in the social world. These are to be found in numerous works (BSR, 2003; BSR, 2003a; CEC, 2003; CSRwire, 2003; EA, 2003; EP, 2003; GCSRPP, 2003; Hopkins, 2003; IBLF, 2003; Strategis, 2003; Van Merewijk, 2003; Indian NGOs.com, 2003; CEC, 2002; Lea, 2002; CEC, 2001; Foran, 2001; Jackson & Hawker, 2001; Marsden, 2001; McWilliams, 2001; Pinney, 2001; Van Marrewijk, 2001; BSR, 2000; Placentini, 2000; WBCSD, 2000; Khoury, et al., 1999; WBCSD, 1999; Clyde, 1999; Hopkins, 1998; Reder, 1994; Frederick et al., 1992; Jones, 1980). The cacophony surrounding the meaning and concept of corporate social responsibility is in tandem with Votaw's (1973) conclusion (cited in Idemudia, 2008:5), that *the term social responsibility is a brilliant one: it means something but not always the same thing to everybody.*

Now, the question is: why is it difficult to arrive at definitive definition of CSR? The answer to this key question is that CSR is socially created (Charmaz, 2006; Glazebrook, 2005; Berger and Luckman, 1966) and devoid of objective perception (Swandt, 1994:125). For example, the definition of numerous theories and continuums in the scientific-based objectivist view, such as Newton's (1687) laws of motion in physics, is definitive. This is because the laws have been scientifically tested and authenticated and it has been confirmed that objects are independent of social factors. The opposite is the case with socially constructed disciplines such as CSR, which is perceived differently by different people.

The challenge of achieving a definitive definition of CSR was further expounded by Clarkson (1995), who stated that the *CSR construct is notoriously ill-defined* and, despite hundreds of empirical studies examining CSR, no satisfactory and generally acceptable definition for CSR exists. The lack of consensus on final definition of CSR is as a result of the inclusion of the necessary value-laden descriptors to define the act (Wokutch and Fahey, 1986). These developments are challenges for firms as there are no broadly accepted global standards for corporate social responsibility (Rawls, 1993; Nordhaus, 2010; Scherer and Palazzo, 2007).

However, CSR is socially created rather than a set of new ideas which simply need to be integrated into corporate practices (Glazebrook, 2005). As a socially created field, CSR can be and is being created in all sorts of manifestations, from the most traditional forms of philanthropy through to entirely new ways of doing business. Scholars such as McIntosh et al. (1998), Zadek (2001), Birch (2001) and Waddock (2002) have described this broad spectrum of activity, while few of the scholars are concerned with the developmental challenges facing organisations. These challenges include developing the necessary insight to identify where an organisation thinks it is located within this continuum, and how an organisation, which is essentially a social grouping comprising

individuals with varied approaches, can view this terrain entirely culturally, beyond the language of CSR.

Hardy, Palmer and Philips (2000) argued that corporate social responsibility discourse *does not simply mirror social reality – it creates it* (Hardy et al., 2000:1229). To authenticate the truism that CSR is socially constructed, we should know that the subject defies definitive definition. Let me cite an example of definitions of CSR by a theorist. Carroll (1998) argued that corporate social responsibility has four faces: *the economic – be profitable, legal – obey the law, ethical – partake in ethical (moral) behaviour, and philanthropic – give back through contribution.*

In spite of this definition constructed by Carroll (1998), he glaringly integrated a plethora of definitions of CSR constructed and interpreted by CSR theorists, writers and commentators from the period between 1953 and 1998 in his article entitled ‘Corporate social responsibility: Evolution of definitional construct’, which consists of works carried out by numerous authors (Carroll, 1998; Carroll, 1994; Carroll, 1991; Epstein, 1987; Aupperle, Carroll and Hartfield, 1985; Drucker, 1984:62; Carroll, 1983:604; Strand, 1983; Jones, 1980; Carroll, 1979:500; Zenisek, 1979; Abbott and Monsen, 1979; Carroll, 1977; Fitch, 1976; Holmes, 1976; Preston and Post, 1975; Sethi, 1975; Backman, 1975; Eells and Walton, 1974; Eilber and Parker, 1973; Davis, 1973:312; Mann and Wallich, 1972:4–6; Steiner, 1971; CED, 1971; Johnson, 1971:68; Heald, 1970; Walton, 1967; Davis, 1967; Davis and Bloomstrom, 1966; McGuire, 1963; Frederick, 1960:60; Davis, 1960; Bowen, 1953).

Whilst drawing from political science, Matten and Crane (2000:173) stated that *corporate social responsibility describes the role of the corporation in administering corporate citizenship right for individuals.* According to them, corporations take over numerous paramount functions of government. Now in this context, CSR was constructively defined by the theorists, writers and commentators of CSR offering

varied definitions, meanings and interpretations based on how they viewed and perceived the social world. It is worth noting that some of these definitions were operationalised in the field (social world) to ascertain the precise meanings of the definition, specifically Carroll's (1991) four-part component, yet definitive definition remains a challenge in the field of CSR.

On discourse of social interactions in CSR, Granovetter (1985) and Uzzi (1997) argued that corporations are social actors, and their economic actions are enshrined in powerful social interactions. They further surmised that if the actions of corporations are guided by social relations, their socially oriented actions are even more likely to be shaped by their social relations (Aguilera et al., 2007; Campbell, 2007). As early CSR proponent James Post (1978) argued: *Any theory that would deal with this field [of business and society] must ultimately confront the reality of extensive and continuing corporation-society interaction.*

For example, the relevance of social construction in CSR is feasible in several key studies that have utilised the new institutionalism in organisation studies (NIOS) framework specifically in the study of the Minneapolis–St Paul Urban grants economy. Galaskiewicz (1997:445-471) discovered in this study that the effect of a CEO's personal social network on contributions was weaker when firms were controlled by external shareholders who mount pressure for better financial performance. The NIOS framework was utilised to examine the effect of institutional changes on various socially oriented corporate behaviours. In addition to the example cited above, the new institutional scholars indicated that cognitive-based institutional pressures have induced corporations to embark on socially oriented changes in environmental behaviour (Lyon and Maxwell, 2000), internal organisational structure (Edelman, 1992:1531-1576; Edelman and Suchsutton et al., 1994:479-515), and corporate–community relations (Galaskiewicz, 1985a: 639-658; 1997: 445-471; Guthrie and McQuarrie, 2004).

Corporate social responsibility is not an exception in the debate about universality of sectoral interest (Martin. 2003:68). Subjective meanings and views of phenomena are inherent in CSR and date back to the early years of the 21st century in the influential work of Berle (1931:1365-1372) and Dodd (1932:1145-1148) and other professors of the time; thus, this results in putative arguments. For example, Frankernal (2001:18-23) argued that *CSR is a vague and intangible term which can mean anything to anybody, and therefore is effectively without meaning*, whilst the UK's Confederation of British Industry (2001:1) argued that *CSR is highly subjective and therefore does not allow for a universally applicable definition*. These arguments are also reflected in the two competing theories of corporate governance via shareholder / stakeholder theories by Friedman (1970:122-126) and Freeman (1984). In this context or, rather, debate on constructive meanings of CSR and its contributions to success of organisations, Friedman (1970:122-126), who expounded the shareholder theory, constructively perceives CSR of organisations as follows: *The social responsibility of business is to increase profit and the consideration of shareholders' interest in the increase in value of their shares is paramount among corporation goals*.

Meanwhile, those against Friedman's perspective, such as Freeman (1984), deemed it right to take into consideration the interest of others other than those of the shareholders in the corporation's decision-making process. *These comprise employees, shareholders, community, government and stakeholders*.

To further the discussion of constructive views of CSR by the proponents of shareholder / stakeholder theories, there is the need for certain questions to be addressed:

Is CSR to be solely concerned with the main goal of organisations which revolves around generation of return on investment for the shareholders? Or, on the emergent comprehension of demands to satisfy a wider constellation of interested stakeholders whose interest are more than financial?

The implications of these views in corporate governance policies of corporations form the cardinal basis and set the tone on which corporations provide constructive meaning of, interpret and implement the CSR programmes of the organisations. However, CSR means different things to different individuals and organisations. CSR's subjectivity of meaning may also be conceived of as doing good, being good and funding good (O'Donovan, 2002:344-371), and, in equal measure, it raises the heckles of others and creates the impression that it is no more than a mere weapon of marketing (Martin, 2011:1).

In view of the above discussion for or against the continuum of CSR, White (2005:1) posed some questions about what the future holds for CSR, considering three scenarios for the year 2015 in his remarks:

CSR is at a crossroads. After a decade of evolution, the pathway forward defies easy prognosis. Will external and company choices relegate CSR to a passing fad, leading to its fading from the corporate and public agenda? Or will CSR reach full fruition as it becomes aligned, integrated and fully institutionalised in company strategy and operations? Or, alternatively, is something more transformational on the horizon as CSR morphs into a deeper change mode, becoming a force for altering corporate purpose at the most fundamental and systematic level?

- **Justifications for the use of social construction in this study**

The main reasons for the use of social construction for this research stem from the fact that it facilitates the interpretive skills and sensitivity of the researcher, the preservation of the integrity of what is meant by the research subject, and the inclusion of richness of interpretation in the empirical research findings. Also, CSR and SD in the Niger Delta region of Nigeria can be better explicated and explored within this perspective. Social construction provides fruitful theoretical perspectives within which to empirically research CSR and SD in the Niger Delta (Hackley, 1998).

Social construction enhances the understanding of these research subjects and objects, and the complex views of participants on CSR and SD in the Niger Delta where the

empirical research was carried out. In addition, social construction as a paradigm is coherent and provides a strong philosophical framework for this research.

However, social constructionist and interpretive research explicates how culture shapes the way we see and interpret the world (Geertz, 1973:44; Crotty, 2003:27). According to Geertz (1973:44), culture depicts a set of control mechanisms which dictate our plans, regulations and directives governing our behaviours. In short, social construction is a platform for the interpretative strategy to construct meanings. Geertz (1973:1-248) delineated how social construction is a parameter for understanding the natural, historical and social world, and therefore qualifies it as a *product of the social and cultural world*. Social construction provides the platform for understanding how African management theories of Ubuntu, African renaissance and Omoluwabi based on African culture influence culture and how other factors shape CSR in the Niger Delta. Social construction comprises a broad church in CSR and SD (Harre & Stearns, 1995:1-240; Miller and Hoogstra, 1992:8; Parker and Burman, 1993:155-172). Other theorists, commentators and supporters of social constructionist ideology include Charmaz (2006:26), Crotty (1998), Lincoln and Guba (2000), Swandr (2001), and Neuman (2000).

4.3 The research tradition – an interpretive research approach

The researcher adopted an interpretive approach for this study. According to Walsham (1993:13-16):

An interpretive approach begins from the position that our knowledge of reality, including the domain of human action, is a social construction by human actors and that this applies equally to researchers. Thus there is no objective reality which can be discovered by researchers and replicated by others, in contrast to the assumptions of positivist science.

An interpretivist, therefore, is concerned with how the social world is realised, interpreted, understood and experienced, or produced (Upadhyay, 2012:126-136). The interpretivist is a qualitatively based researcher whose interest is to comprehend what they see, hear and read from people and places and from events and activities and their main purposes are to learn about some aspects of the social world (Upadhyay, 2012:126-136).

How can the development of the interpretive research tradition be traced, and is it a form of social constructionism? The development of the interpretive research tradition can be traced back to ideas from Max Weber (1947–1964) and subsequently developed further by phenomenological sociologists such as Schultz (1945:1-37; 1953), Berger and Lukman (1966:1-247), Giddens (1984; 1993) and Bordieu (1990:122-139). It is pertinent to note that the roots of the interpretive approach are not unified but arise from numerous sources. Sandberg (2005:167-187) demonstrated this through numerous influential approaches to various forms of social constructionism (Charmaz, 2006:2; Berger and Lukmann, 1966; Bordieu, 1990; Giddens, 1984; 1993), critical theory (Alvesson and Deetz, 2000:1-240; Habermas, 1972:3-4), ethnomethodology (Atkinson, 1988; Garfinkel, 1967; Heritage, 1984:1-332; Silverman, 1998:1-222), interpretive ethnography (Denzin, 1997:105-117; Geertz, 1973:44; Van Maanen, 1995:1-276), symbolic interactionism (Blumer, 1969:1-200; Mead, 1942:369-386; Prasad, 1993:1400-1428), discourse analysis (Foucault, 1972:107-111), deconstructionism (Derrida, 1972/1981:1-122; Kilduff, 1993:1-248), gender approaches (Calas and Smircich, 1996:218-257; Harding, 1986:1-271; Keller, 1985:1), institutional approaches (DiMaggio and Powell, 1983:147-160; Meyer and Rowan, 1977:340-363; Scott, 1995:136) and sense-making approaches (Weick, 1995:4). Nevertheless, advocates of the interpretive approach claim that the reality is socially constructed through

continuous negotiation between people about the very nature of that reality (Sandberg, 2005:167-187).

- **Justifications for the use of the interpretive approach**

The researcher's epistemological stance of the interpretive approach is underpinned by the fact that knowledge of reality about CSR and SD in the Niger Delta can only be understood through social constructions such as shared meanings, documents, language, tools etc. (Walsham, 1993:13-16), and a focus on the complexity of human sense-making as the circumstances emerge (Kaplan and Maxwell, 1994:45-68). This statement tallies with the interpretive view of knowledge by Orlikowski and Baroudi (1991:9-42) who pointed out that *social process is not captured in hypothetical deductions, covariances and degrees of freedom. Instead, understanding social process involves getting inside the world of those generating it*. This is exactly what the researcher does – that is, become part of the social world investigated (Niger Delta), and witness the CSR and SD programmes in the Niger Delta. Thereafter, the researcher's interpretive view of data is underpinned by Geertz (1973:1-248) who stated that *what we call our data are really our own constructions of other people's constructions of what they and their compatriots are up to*.

Exploring the interpretive approach assisted the researcher to a great degree in understanding the critical, social and organisational issues related to adaptation and adoption of CSR and SD by MNOCs in their organisations and local communities in the Niger Delta. In addition, the use of the interpretive approach enables the researcher to ask questions such as *how* and *why* CSR and SD programmes are put in place by MNOCs in the Niger Delta (Orlikowski and Baroudi, 1991; Geertz, 1996).

Another key reason responsible for the researcher's use of the interpretive approach is the steady increase in the use of the approach by scholars of management and organisational sciences (Alvesson and Scholberg, 1991; Prasad and Prasad, 2002:4-11;

Zaid, 1996:251-262), and social sciences (Atkinson, Coffey and Delamont, 2003:1-232; Denzin and Lincoln, 1994, 2000:128; Flick, 2002:5; Lincoln and Denzin, 2003:1-19; Schwartz, 1994:105-117). Again, the belief of the researcher in this study is that objective knowledge possesses significant theoretical limitations for advancing our understanding of human and organisational phenomena in CSR and SD in the Niger Delta (Alvesson and Skoldberg, 1999; Denzin and Lincoln, 1994, 2000; Lincoln and Denzin, 2003; Prasad and Prasad, 2002:4-11; Sandberg, 2001a:167-187).

4.4 Modification of construction on grounded theory

4.4.1 Subaltern theory (postcolonialism)

Antonio Gramsci's (1891-1937) work on cultural hegemony set the tone for subaltern theory with emphasis on social groups excluded from a society's established structures for political representation, and the means by which people have a voice in their society. The Italian communist intellectual and Marxist political activist Antonio Gramsci (1891–1937) was the first to explore the sense of the subaltern in Marxist theory in his article 'Notes on Italian History' which subsequently appeared as part of his most widely known book *Prison Notebooks*, written between 1929 and 1935.

In Gramsci's (1971:294-7) words, the subaltern classes fundamentally refer to any *low rank* person or group of people in a particular society suffering under hegemonic domination of a ruling elite class that denies them the basic rights of participation in the making of local history and culture as active individuals of the same nation (Gramsci, 1971:294-7).

Gramsci (1971:294-7) further posited that:

The subaltern classes, by definition, are not unified and cannot unite until they are able to become a 'State', their history, therefore, is intertwined with that of civil society, and thereby with the history of States and groups of States.

A reflection of highlights by an array of intellectuals made up of social reformists, political scientists, literary critics and political economists describes the mainstream subaltern as a person rendered without human agency by his or her social status. According to Spivak (1988:271-313), 'subaltern' is not just a classy word for the *oppressed* but for an 'other' that cannot access a piece of the pie. The subaltern, a critical concept of extreme importance in postcolonial theory, describes the lower classes and the social groups who are at the margins of society. It denotes inaccessible things, or people with quite limited access to cultural imperialism marked as a space of difference. In other words, a genealogical study of the concept (subaltern) was chosen involving three predominant thinkers with whom it is essentially associated: Antonio Gramsci (1891-1937), Ranajit Guha (1982:6) and Gayatri Chakravorty Spivak (1988:271-313).

Further discussion on subaltern cosmopolitanism in *Toward a New Legal Common Sense: Law, Science and Politics in the Paradigmatic Transition* by sociologist de Sousa Santos (2002:7-12) which described the counter-hegemonic practice, social movement, assistance, and struggle against neo-liberal globalisation, especially the struggle against social seclusion. On the other hand, Professor de Sousa Santos (2002:7-12) explores subaltern cosmopolitanism interchangeably with cosmopolitan legality to describe the array of normative frameworks for an equality of difference for the subaltern resisting hegemonic globalisation.

It is worth noting that 'subaltern' should be given the privilege and opportunity to air their views. Gramsci's work facilitated the emergence of subaltern theory and the Subaltern Studies Group in 1982, made up of a collection of South Asian scholars in Britain including Dipesh (1993:1094-1096) Chakrabarty and Partha Chatterjee (1994:79-84), who began publication of a book-length journal entitled *Subaltern*

Studies, edited by Ranajit Guha , on their early work on the politics of peasants who had been involved in the mass movement that ultimately led to India's independence.

However, Subaltern Studies, a vibrant movement whose scholars adopted the political actor role of the men and women in the mass population rather than the political roles of the social and economic elites in South Asian history, continues to explore creative and alternative forms of knowledge to overcome the legacies of injustice for three prominent reasons. First, scholars have contended that a new perspective in the history of imperial colonies is emerging, which describes the colonised people of the South Asian subcontinent. Second, they have perceived it worthwhile to tell the story from the viewpoint of the colonised men and women known as the proletariat rather than from the viewpoint of the colonisers. Thirdly, there is the need to critique the elitist interpretation of that role (Guha, 1982:6).

The concept of the subaltern moved towards a more complex theoretical debate with the intervention of the Indian-American postcolonial feminist critic Gayatri Chakravorty Spivak (1998:271-316), who was criticised in her groundbreaking essay 'Can the Subaltern Speak?' (Spivak,1988: 271-316). Thus, she reflected on the status of Indian women, relying on her analysis of a case of sati women's practices under British imperialism. According to Spivak in Louai (2012:4-8), sati women were lost between two opposing opinions: the British humanist discourse calling for individual freedom of sati women and the Hindu native policy calling for voluntary participation in the ritual. The conflict between these two positions produced two different discourses with no possible solution; one postulates that *white man (are) saving brown women from brown men*; the other maintains that *the woman actually wanted to die* (Spivak, 1991:36). So it is obvious that the Hindu woman loses her voice in such a contradictory position between the antagonists that deprives her of the opportunity to make a conscious decision. The voice of the Hindu woman herself disappears and the two discursive

groups try to give her a voice; the representation of the sati women contributes to a certain appropriation of their own free will to decide and deprives them of their subjectivity and a space to speak from. In the end, Hindu woman disappeared, not into a pristine nothingness, but into a violent shuttling, which is the displaced figuration of the 'third-world woman' caught between tradition and modernisation (Spivak, 1991:36). Spivak concluded in the end that *the subaltern cannot speak*.

Theoretically, the subaltern was reflected by Gayatri Chakravorty Spivak (1988:271-316) and Abd Ranajit Guha (1982:6) *this branch of theory focuses on signifiers which the colonialist discourse has socially constructed, the signifiers from colonial language, giving no real voice to the oppressed and colonised*. Homi Bhabba's (1994: 171-197) reflection on subaltern theory reveals quite a dispassionate story of the signifier effect of domination. Bhabba (1994: 171-197) posited that:

Ideas are expressed in dominance discourse, in which the oppressed and colonised are not well versed, so that they are not as skilled at expressing their validity claims. Consequently, claims of the oppressed are often expressed as poor imitations of the master discourse, and these not given full bearing by those skilled in the use of the dominant discourse.

However, subaltern theory, otherwise called postcolonial theory, examines the power and the continued dominance of western ways of knowing, of intellectual enquiry. There are works of scholars that throw more light on the discussion of this theory.

For example, the work of Said (2007:837-843) on orientalism conceptually addressed the oppressed subaltern man and woman, and thus revealed the manner in which the Eurocentric perspective of orientalism sprang up and the justification for the domination of the proletariat through colonialism. Others, such as cultural theorist Hall (2007:1-136) and Alik Shahadah (2007:1) contributed enormously to this theory. Consider this evidence of contribution by Alik Shahadah (2007:1): *The Eurocentric discourse on*

Africa is in error, because those foundational paradigms which inspired the study, in the first place, were rooted in the denial of African agency: political intellectualism bent on its own self-information, rather than objective study (The Removal of Agency from Africa).

Again, furthering the discourse of the subaltern necessitates the inclusion of elements of the *voice of subaltern and mainstream development discourse*. To start with the voice of the subaltern, it is pertinent to note that the current state of affairs was developed by Spivak (2008:79) in *Geographies of Post-colonialism* in line with reasoning and, thus, Joane's (2008:53-71) proposal of Western intellectuals relegating 'other', non-western such as African, Asian, Middle Eastern ways of gaining knowledge about the world to the margins of intellectual discourse, and, thus, reformulating the knowledge as myth and folklore. However, the oppressed subaltern, if it wants to be recognised and heard, must explore western ways of knowing, of thought and reasoning, and the language of westernisation. Suffice to state that subaltern people can never express their ways of knowing and reasoning or their language, but would prefer to express their non-western knowledge of colonial life to western ways of knowing the world.

On mainstream development discourse, it was based on modernisation theory by developed countries of the West with identifiable features of free trade, open markets, a capitalist economic system and democratisation of governance. These features are crossbars for developing countries to jump over prior to having the title of developed country conferred on them, which in itself signifies orientalism and colonialism. These developments itches a critique of the mainstream development discourse by Victoria Lawson (2007:1-270) in *Making Development Geography* which contended that subalterns were not integrated in the formulation of policies of mainstream development discourse; the effects which disengaged them from other scales such as the scale and the community, lack of consideration for regional, social class, ethnic group, sexual – and

gender – class disparities among the peoples and countries modernised. Lawson (2007:1-270) concurred that the exclusion of the voice of the people and sociocultural domination has negated and stigmatised development discourse. She explained that if subalterns have been silenced in the states they constitute due to colonialism, they have the option to be heard through political actions in protest against mainstream development discourse and thus establish their own proper and effective form of modernisation and development.

The concept of the subaltern, however, in spite of its reinforcements in favour of the proletariat, was criticised by Spivak (1988:271-316), who is one of the predominant thinkers on the subject and who pointed out that not only is less writing available from members of subaltern groups, but that conditions were also radically constrained in those instances when subalterns did speak. Spivak (1998:271-316) criticised Subaltern Studies for having no methodology, advancing the reason that even the most ambitious Marxist cannot avoid a sort of essentialism in the attempt to define who or what may constitute a subaltern group. Yet Spivak (1988:271-316) affirmed the potential for further research provided that scholars recognise that the concept of the subaltern is simply a strategic essentialism, a type of necessary evil used to make practical progress (Bier, 2010:1).

More so, there are four challenges associated with postcolonial theory (subaltern theory). According to Bier (2010:1), one of the challenges is that the textual records contain just a few references to the subaltern voice, and that even the available references were frequently written by people in power. He further enumerated that, in cases where the words of the subalterns were recorded, they are often speaking in an extremely imbalanced atmosphere throughout. Finally, he asserted that the classification and categorisation of people is itself the result of colonial oppression.

4.4.2 Conclusion

From the above discourse on the subaltern, it is worth positing that the entire discourse on postcolonial theory falls back into speaking for the voiceless and politically marginalised groups by their intellectual representatives. As such, subaltern or other postcolonial theory is a radical movement in the demands of the marginalised groups from *the struggles for recognition as equals to the demand for recognition of difference* (Pandey, 2006:18-24).

4.5 Research method

A research method is a strategy of enquiry which takes a researcher from their underlying philosophical assumptions to research design and data collection (Myers, 1997). For this study, the chosen research method is qualitative research.

4.5.1 Qualitative research

Qualitative research is an enquiry process that facilitates the understanding of a social or human problem, based on building a complex, holistic picture, formed with words, that reports the detailed views of informants, and is conducted in a natural setting (Cresswell, 1994). The main reason for adopting the qualitative research method is to be able to carry out fieldwork in communities and listen to respondents' / participants' voices. Qualitative research is the use of non-quantifiable data consisting of interviews, documents, observations, archival data and case studies to assist researchers in their efforts to comprehend people and the social and cultural contexts in which they live. In this particular study, the qualitative approach involves the verbal reporting and detailed recording of the corporate social responsibility (CSR) and sustainable development (SD) disclosures of oil companies operating in the Niger Delta.

- **Justifications for the use of qualitative research**

The justification for using the qualitative approach in the context of this study is conveyed by the nature of the research questions. The research questions of the study are formed using the depicted *how* and *what* modes, in contrast with quantitative questions, which usually ask why and look for comparisons between different groups, relationships between variables, or causes and effects. Secondly, the need for the researcher to vigorously explore CSR in multinational oil companies and the impact on SD in the Niger Delta requires the development of theories, contrary to quantitative research which only explores variables. Thirdly, the researcher aimed to present detailed explanations of corporate social responsibility in MNOCs and the impact that these have on sustainable development in the Niger Delta. Fourthly, it enables the researcher to prepare fully for fieldwork, gain access and gather materials. Fifthly, qualitative research facilitates the researcher's role as an *active learner* who can tell the story from the participants' point of view rather than as an *expert* who would instead pass judgement on participants (Coronil, 1994).

Other striking justifications for the researcher's exploration of qualitative research in this study result from the fact that findings have revealed that 89% of theoretical papers on CSR in the developing world including Nigeria are non-normative (Frynas and Blowfield, 2005). Thus, 80% of empirical research on CSR in developing countries is dominated by quantitative methods (Lockett et al., 2006); therefore, using the qualitative approach for this research provides the researcher with a unique opportunity to investigate the crux of CSR and SD issues in the Niger Delta and determine how CSR and SD happen there using an approach that is different to the dominant traditional quantitative methods (Cassell and Symon, 1994).

For example, in Nigeria, most studies on CSR and SD use quantitative methods. However, using the qualitative method in this study enables the researcher to explore

meanings and patterns, and inconsistencies and conflicts in people's thoughts and behaviours. In spite of the dominance of the quantitative method in the research of CSR and SD programmes in Nigeria and western countries over the years, predominantly in the US, qualitative research has played a vital role in a great deal of management research (Johnson, et al., 2006:131).

The qualitative approach is often adopted when the subject matter is emergent rather than configured (Creswell, 2003). This approach therefore provides subjective meaning and analytical interpretation in the study of CSR and SD behaviours in the Niger Delta. Critics of quantitative research have argued that some of the assumptions underlining quantitative research are defective (Cicourel, 1964; Denzin, 1970; Schwartz and Jacobs, 1979; Hammersley and Akinson, 1995; Gubrim, 1988) due to the truism that statistical and experimental data are not suitable for numerous research activities in social science. However, Kaplan and Maxwell (1994) argued that the goal of understanding a phenomenon from the point of view of research participants and within its particular social and institutional context is largely lost when textual data are quantified. Qualitative research is increasingly gaining currency in CSR and SD and in general research practice. For example, Thomas et al. (1998) discovered in their review of publications on general practice research that around half of the studies surveyed had used qualitative methodologies.

4.5.2 Reflexivity

Reflexivity concerns researchers giving accounts of their research activities (Chia, 1996). It also concerns questions about the neutrality and dialectical immersion and distancing of researcher regarding the object being studied (Hatch, 1996; Lalle, 2003). Most importantly, reflexivity is the explicit recognition of how the researcher has impacted on the research situation and the consequences of this impact. In this study, the researcher strongly reflected on the research to avoid misinterpretation and to ensure

that the methodological approaches employed were capable of yielding sufficient validity and reliability (Delamont, 2004) and rigour (Davies and Dodd, 2002).

4.6 Research design

The design of this research on CSR in MNOCs and its impact on SD in the Niger Delta was carefully thought through rather than seeking the most immediately attractive option (Silverman, 2006). Research design, often qualified as *master techniques* by Kornhauser and Lazarsfield (1955), is the overall plan for relating the conceptual research problem to relevant and practicable empirical research (Ghauri and Gronhaug, 2005:56). This study, however, explores fieldwork and community voices to expose the exploratory research priority of the researcher. The researcher is concerned with the defence and design of qualitative research, which is not akin to quantitative research that is not interpretivist in nature. But, rather, the researcher exhibits the use of qualitative and interpretivist characteristics.

4.6.1 Case study

A case study is an intensive and in-depth study of an individual, an event, a group, organisation, or an institution in a specific context. Case studies are often described as *not a methodological choice but a choice of what is to be studied* (Denzin and Lincoln, 2005:443). In Denzin and Lincoln's (2005:443) argument, a case study is both a process of enquiry about the case and the product of that enquiry. It is the prevalent choice of the researcher with a high degree of positive results and a visionary lens to research CSR in MNOCs and the impact on SD in the Niger Delta. Find, below, the researcher's justifications for the use of the visionary lens.

- **Justifications for case study**

The rationale for the use of case studies in this research boils down to the research questions of *what* and *how* and the exploratory nature of the study to enhance

contemporary and strong investigation of the CSR and SD in the Niger Delta in its real-life context. This is because the boundaries of CSR in MNOCs and its impact on SD in the Niger Delta are yet to be clearly established (Yin, 2009:240; Cresswell, 2007:73; Yin, 2002:99-106).

Case studies are suitable for this study because the research on CSR in MNOCs and its impact on SD in the Niger Delta is novel and its existing theories are inadequate and underdeveloped (Eisenhardt, 1989:548–549). Given this, with case studies, the researcher is at leisure to develop and test a number of theories applicable to this study that could be explored in future for further research on CSR and SD.

Case studies are the most common qualitative method used in social science in which CSR and SD is not an exception and is evident in the works of numerous authors (Campbell, 1975:178-193; Hersen and Barlow, 1976:1; Perry and Kraemer, 1986:215-226; Benbasat, Golstein and Mead (1987:369-386); Bruns, 1989; US Government Accountability Office, 1990:1; Agranoff and Radin, 1991:203-231; Hermel, 1992; Platt, 1992:17-48; Ragin and Becker, 1992; Walsham, 1993; Gilgun, 1994:371-380; Ghauri and Gronhaug, 2002:91; George and Bernett, 2004:7; Gerring, 2004:341-354; Graebner and Eisenhardt, 2004:532-550; Pluye, Potvin, Denis, Pelletier and Mannoni, 2005:123-137; Voelpel, Leibold, Tekie and von Krogh, 2005:37-49; Yin, 2006a; Yin and Davis, 2006). In case study for example, a few studies took more differentiated perspectives (Greening, 1995:658-612; Simpson and Kohers, 2002:97-109) by focusing on one particular industry or comparing different industries. In light of the above, the adoption of case studies by Platt (1992:17-48) in the Chicago School of Sociology is a methodological underpinning.

As noted in Yin (2009:240); *A case study contributes to our knowledge of individual, process, programs, group, organisational, social, political and related phenomena.*

CSR in MNOCs and its impact on SD in the Niger Delta is complex and ambiguous, and requires more than just ordinary explanation and deserves to be empirically researched using enquiry method with visionary lens like case study to provide in-depth explanation of phenomena in real-life and holistic context (Yin, 2009). The use of case studies in this research permitted the researcher to explore numerous sources of data collection such as interviews, archival data, observation, secondary data, photovoice and proposition of theory to underpin the empirical research process (Yin, 2009).

4.6.2 Elements of a case study design

Yin (2009) suggested that any design of a case study approach should consist of (i) research question, (ii) research proposition, (iii) unit of analysis, (iv) the logic of linking data to the proposition, and (v) criteria to interpret the findings. However, the researcher explored these elements in the context of this research as follows:

1. Research questions

The research question is sometimes referred to as the problem statement, and presents the idea that is to be examined. Defining the research questions was the first step considered in this research and in line with case study strategy of ‘how and why’ and ‘what’ for exploratory purposes. It is worth remembering that the research questions of this study were earlier reflected in the study framework in chapter one.

2. Research propositions

The research proposition of any study is aimed at directing attention to something that should be examined (Yin, 2003). The researcher set up or developed the propositions for this study in the framework and each is linked to a stage of conceptual framework.

3. Unit of analysis

The unit of analysis is the major entity that one analyses in a study. It could be an individual, group, artefact, organisation, region or social interaction (Trochim, 2008). In this research on CSR in MNOCs and the impact of SD in the Niger Delta, the unit of analysis is local communities in the Niger Delta region of Nigeria. The main reason for the choice stems from the fact that the communities remain the main home for multinational oil corporations that engage in oil exploration and exploitation.

4. The logic of linking data to propositions

The proposition is identified with key elements of true or false about a phenomenon. It is pertinent to note that the research questions of the study emerged from operationalisation of the variables taken from the literature review and the conceptual framework. The research questions of this research were answered by the questions posed to the research participants in the interviews.

5. The criteria to interpret the findings

Here, only pertinent data that is most relevant and directly related to the phenomena under investigation were taken into account, while the data focused on the objectives of the study and linked up with the framework of the study.

4.7 Sources of data

The researcher juxtaposed a five-legged stool (triangulation). The main reason for the use of triangulation in this study is to obtain in-depth views of various stakeholders since the research focuses on communities and enhance data analysis. It thus consists of interviews (semi-structured), archival data, observation, secondary data and photovoice.

4.7.1 Interviews

The researcher explored semi-structured interviews for this study, which paves the way for people to discuss their true feelings, anxieties and frustrations about CSR in MNOCs and the impact on SD in the Niger Delta, as well as the depth of their convictions in

their own words (Zikmund, 1982:123). Support for the use of qualitative interviews in CSR and SD has been advocated by Byrne (2004:182):

Qualitative interviewing is particularly useful in research methods assessing individual values and attitudes – things that cannot necessarily be observed or accommodated in a formal questionnaire. Open-ended and flexible questions are likely to get a more considered response than closed questions and therefore provide better access to interviewees' views, interpretation of events, understandings, experiences and opinions... qualitative interviewing when done well is able to achieve a level of depth and complexity that is not available to other, particularly survey-based approaches.

Prior to the conduct of semi-structured interviews by the researcher, procedures for interviews such as the development of interview protocols, interview populations and samples and access development were suitably defined and observed as indicated in the interview protocol in appendix 1:

- **Interview population and sampling**

The researcher interviewed 40 participants in total. These participants were drawn from oil company senior managers and other stakeholder groups. The researcher explored purposive sampling techniques to select participants with the requisite knowledge, ideas or experience of CSR and SD in the Niger Delta. The participants consist of development agencies, environmental regulators, governments' representatives in the oil and gas sector, local communities or oil-producing communities, non-governmental organisations and other stakeholders.

The use of purposive sampling in this research is supported by Denzin and Lincoln's (1994:202) view: *Many qualitative researchers employ ... purposive and not random sampling methods. They seek out groups, settings and individuals where ... the processes being studied are most likely to occur.*

The sample size is established for academic and pragmatic reasons. It affords a good opportunity to establish a range of views from each of the stakeholder groups, and a manageable size for data analysis purposes. The use of small samples stems from the fact that the research is qualitative with the emphasis on detailed and rich data being collected from participants in preference to fewer, but more specific, details being obtained from participants from a larger cohort. The use of small samples was adequate for analysis purposes.

- **Interview access development**

Language of the interviews

The researcher used English language for all the interviews conducted. The reasons for this are not difficult to imagine. This is because English is the first language or official language in Nigeria, and virtually everybody speaks it. So, this made it easier for the researcher to communicate effectively with all the research participants without making further arrangements for an intermediary or interpreter. The language content used by the researcher was quite simple, clear, meaningful and coherent.

4.7.2 Secondary data

Secondary data are data already collected for use by another person for different purposes but used for our research as well. In Ghauri and Grohaug (2005:91), secondary data are useful not only to find information to solve our research problem, but also to better comprehend and explicate our problem. The secondary data explored in the context of this study include books, web pages of organisations and government, catalogues and journal articles. The search strategy for this study includes electronic

databases such as ProQuest, JSTOR, Wiley Online, Emerald and Athens. Prominent journals assessed from the database include Journal of Business Ethics, International Journal of Management Review, Journal of Corporate Citizenship in Africa, Journal of Management Executives and Journal of Corporate Social Responsibility and Environmental Management, to mention a few. Other journal articles utilised in the context of the literature are reflected in the references. The reason for the use of the search strategy is that it contains the latest information and developments on CSR in MNOCs and the impact on SD in the Niger Delta.

4.7.3 Archival documents

The researcher collected a range of archival data for this study, and the methods used for the collection of these documents are clearly indicated below.

Methods of Archival Data

The archival method involves describing data that existed prior to the time of the study. In other words, the data were not generated as part of the study (Learning, 2008). The researcher obtained archival data using the following methods:

1. Use of the internet

The researcher used the websites of oil companies and some organisations such as NNPC, MND, NDDC to obtain or order public documents, where available, from the websites. I explored the publications of some international media such as CNN and BBC. Inclusive in the documents used are publications of the United Nations Special Representative Professor Ruggie on human rights and transnational corporations and other businesses. Other UN publications utilised in the context of this research include those of the United Nations Conference on Trade and Development (UNCTAD), United Nations Development Programme (UNDP), United Nations Environmental Programme (UNEP), United Nations Human Rights Council (UNHCR) and World Commission for Environment and Development (WCED), and reports of the International Court of

Justice (ICJ) and Financial Times Magazine, United Nations publications on socioeconomic rights and accountability, United Nations Declarations on Human Rights (UNDHR), United Nations Human Development Index (UNHDI), UNDP in Local Governance and Poverty Reduction in Africa, articles from Human Rights Watch (HRW) and the African Charter on Human and Property Rights (ACHPR), publications by Environmental Rights Action/Friends of the Earth Nigeria, Maplecroft Human Rights Risk Index 2012, and some related publications by the United Nations in these areas.

2. Libraries of the organisations concerned

Archival data such as policy briefs, reports and books related to environmental sustainability of oil companies in the Niger Delta were obtained from the library of some NGOs in Benin City. Some of the archival documents were accessed by the researcher free of charge, and some were paid for.

3. Direct from source

The researcher also obtained some archival data direct from source. For example, the researcher obtained some documents such as quarterly in-house magazines directly from the oil companies that participated in the study. Newspapers on actions of multinational oil companies in the Niger Delta were also obtained from media houses in Benin City. In terms of Nigerian newspapers and magazines, I explored The Vanguard, Daily Trust, Daily Independent, Nigerian Observer, Nigerian Compass Business, Nigerian Compass News, Nigerian Compass Energy, Punch, Nigerian Guardian, Newswatch magazine, TELL magazine, Nigerian Journal of Oil and Gas, special press briefings by the federal

government of Nigeria on corporate social responsibility (CSR) and sustainable development (SD) in the Niger Delta, and other related journal articles in these areas.

4.7.4 Observations

Observation involves the researcher becoming immersed in the research setting to be able to experience actions and situation on a first-hand basis (Mason, 2002; Coffey, 1999). Lofland and Lofland (1996) argued that direct observation is aimed at addressing two key issues: first, that face-to-face interaction and participation is understood by people, not only in their words, but to use the meaning of this words as comprehended by individual. Second, that participation is also necessary to be able to acquire social knowledge. According to Lofland and Lofland (1996), social knowledge entails a wider spectrum of human activities consisting of concept and manner of acquiring knowledge of doing.

Participant observation affords the researcher the chance to fully comprehend the **emic-etic epistemological approach**. The researcher observed some participant behaviours such as actions and manners of expressions during the interview process in order to develop a narrative account of participants' behaviours and to understand their culture and environment.

For example, the researcher explored **covert participant observation** (Analoui and Kakabadse, 1992) to observe some welfare services provided to the oil-producing communities by the government, the oil companies and the efforts of local communities, and how they were sustained. **Covert participant observation** has consistently been used by researchers to address a diverse range of deeply rooted organisational and service issues such as service quality measurement in terms of CSR and SD (Jesson, 2004), customer satisfaction (Van Der Wiele et al., 2005), power, conflict, and cultural control (Smith, 2001).

4.7.5 Photovoice

The researcher explored photovoice as a method of data collection in this study. Photovoice has been described as a participatory data collection method (Wang, Cash and Powers, 2000), and it emerged originally from health promotion principles, literature on education for critical consciousness, feminist theory and community-based approaches such as local communities in the Niger Delta using documentary photography (Wang, Cash and Powers, 2000). Photovoice, therefore, is the combination of photographs with descriptions of them written by the photographer to enhance personal description of one's life or experiences (Walsh, Rutherford and Kuzimak, 2009).

The utilisation of photovoice in anthropology (Ryan and Ogilvie, 2011:1), advertising research (Goffman, 1987), consumer behaviour/marketing research (Belova, 2003; Schroeder, 2008a:81-88; Schroeder and Zwick, 2004:21-52) are well documented, and it also facilitates learning via action and reflection (Foster-Fischman et al., 2005:275-291). In addition, photovoice is directed at people or communities, such as local communities in the Niger Delta, who are excluded from decision-making processes (Wang, Burris and Ping, 1996:1391-1400). The main objectives of photovoice are to allow people to record and demonstrate their community concerns and strengths, to promote and develop dialogue and acknowledge important community issues, and to help mobilise change by communicating information to policymakers (Wang and Burris, 1997:369-387).

From the methodological perspective, photovoice enables interviewees to have access to the camera to take photographs which reflect or tell a story about their everyday life experience. In telling the story, they explore their photographs and verbal descriptions of them during an interview with the researcher. Moreover, the participants of the research are generally those whose voices have been traditionally silenced in social

research (Warren, 2005:861). It would thus facilitate and assist the local communities in the Niger Delta to express their views or opinions, feelings, beliefs etc., either as an aid to verbal narrative or in place of it (Schwartz, 1994:119-125; Wang and Burris, 1994, 1997). Typical instances can be cited of ethnic minorities such as the local communities of the Niger Delta women, elders, children, who are homeless. These were further vindicated in the words of Hurworth-(2003:3): *Consequently, photo novella is meant to be a tool of empowerment enabling those with little money, power or status to communicate to policymakers, where change could occur.*

Further discussion on merits associated with photovoice as a trajectory of documenting social, cultural and physical processes as they unfold, and essentially representational rather than constructed (e.g. Buchanan, 2001:151-64; Holliday, 1999:475-91; Bateson and Mead, 1942). Warren (2005:861) confirmed that: *The camera never lies? – photography and truth.*

Warren (2005:861) further asserted: *Photographic images are used as evidence that the world is as it is.* Warren (2005:861) concludes that: *Photography is used to say 'this is who I am / this is how it was' in almost every sphere of life.*

In spite of the numerous and exciting benefits of photovoice, it has also met with some degree of backlash. For instance, it was argued that the researcher might manipulate the photograph (Denzin, 1989b:214–215). Again, Becker (1986a) debunked this: *Do photographs tell the truth?* He defended them by raising the question of sampling and the challenge of reactivity that emerges from the activities of the photo taken.

4.7.6 Triangulation

Denzin (1978:1) described data triangulation as the gathering of data at different point in time and from different sources. Denzin and Lincoln (1994:2) further qualify *multiple methodologies in qualitative research as bricolage and the researcher as bricoleur.*

In Denzin's (1970:279) argument: *Triangulation should not only involve multiple methods (data triangulation) but multiple investigators (investigator triangulation) and multiple methodological and theoretical frameworks (methodological and theoretical triangulation).*

Methodological triangulation is the key to good qualitative research on CSR in MNOCs and the impact on SD in the Niger Delta. The use of multiple methods gives a more precise and accurate handle on the research question than one method. The merits associated with triangulation in research are numerous.

The adoption of triangulation in this research would enhance the basis for drawing conclusions with greater validity than relying on just single or dual methods which could trigger questions about validity. Also, accuracy of conclusions about CSR in MNOCs and its impact on SD in the Niger Delta would be facilitated if multiple methods of data collection were deployed (LeCompte and Preissle, 1993:48). The strength of multiple methods of data collection in this study was underlined by Patton (1990:187):

No single method ever adequately solves the problem of rival causal factors ... Because each method reveals different aspect of empirical reality, multiple methods of observations must be employed. This is termed triangulation. I now offer as a final methodological rule the principle that multiple methods should be used in every investigation.

Patton (1990:188) further emphasised that:

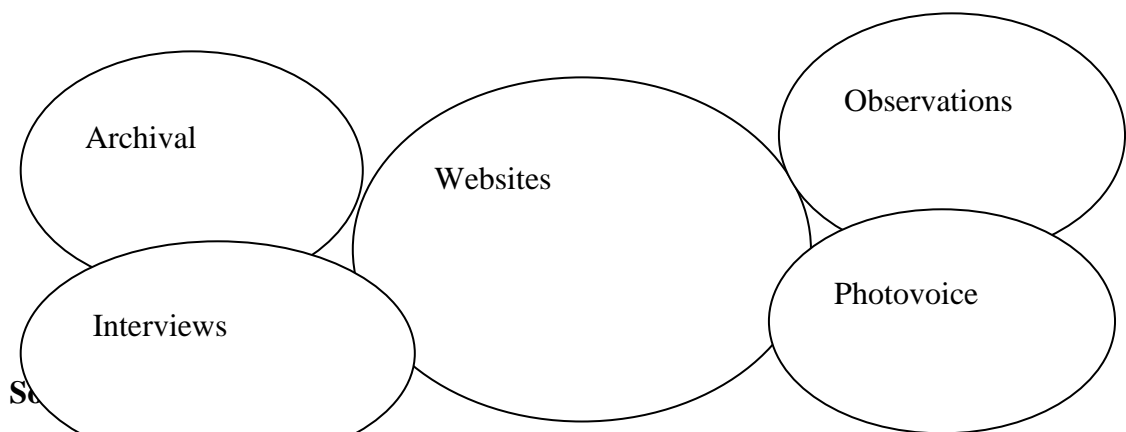
Studies that use only one method are more vulnerable to errors linked to that particular method ... than studies that use multiple methods in which different types of data provide cross data validity checks.

Hammersley and Atkinson (1983:199) strengthened triangulation:

What is involved in triangulation is not the combination of different kinds of data per se, but rather an attempt to relate different sorts of data in such a way as to counteract various possible threats to validity of their analysis.

However, I explored a mixture of both traditional and nontraditional methods because the study is community-centred, in order to enable the voice of the communities to be heard by those at the helm of affairs of the oil companies and federal and state governments and other stakeholders.

TRADITIONAL AND NONTRADITIONAL METHODS



4.8 Data analysis

Data analysis provides a method for categorising and organising the subtleties of everyday social phenomena in a meaningful way (Krauss, 2005). Data analysis was described as sorting out the structures of signification (Getz, 1973). The goal is to produce what has been called ‘thick description’, such that phenomena are not only described but also located within the structures that accord meaning to them (Geertz, 1973). The researcher of this study used the qualitative data analysis outlined below.

4.8.1 Analysis of the interview data

- **Interview transcription**

Qualitative data analysis commences with interview transcription. Transcribing is the process of transforming, changing or converting the oral interview to written text. For this research, the researcher transcribed 40 interviews conducted with participants made up of oil companies, local communities, environmental agencies, development agencies, non-governmental organisations, Nigerian government representatives in oil and gas sector and other stakeholders (Spradley, 1979). Audio recordings were used to make the transcriptions.

Find summary of interviews participants and codes and breakdown of some categories for further understanding of interviews with participants in chapter five and six.

Summary of interviews participants

Categories of interviews participants and codes

| | | |
|----|--|------|
| 1. | Oil Companies | MNOC |
| 2. | Local Communities | LC |
| 3. | Environmental Agencies | EA |
| 4. | Development Agencies | DA |
| 5. | Non-Governmental Organisations | NGO |
| 6. | Government Representative in Oil and Gas | GR |

Breakdown of some categories

| S.N | Codes of Categories | Sub-categories | Codes of Sub-categories |
|-----|---------------------|-------------------|-------------------------|
| 1. | LC | Ughoton | UGH |
| | | Gelegele | GLE |
| | | Ajoki | AJO |
| | | Ajamimogha | AJA |
| | | Owuo | OWU |
| | | Oben | OBN |
| | | Ologbo | OLO |
| | | Obayantor 11 | OBY |
| 2. | GR | House of Assembly | HAS |
| | | Min of Oil & Gas | MOG |

These codes however, are explored in subsequent chapters, 5 and 6 to indicate the quotations and roles of participants in the interviews findings.

- **Analytical process for the interviewsAnalytical framework**

To analyse the data collected, the researcher used the grounded theory approach (Charmaz, 2006). The grounded theory approach was developed by Glaser and Strauss (1967) and further explicated by Glaser (1978), Strauss (1987), Strauss and Corbin (1990) and Charmaz (2006). The grounded theory approach consists of open coding, axial coding, and selective coding. Coding refers to categorisation and segmentation of data with an abstract name that simultaneously summarises and accounts for each piece of data. The codes in this research indicated how I selected, separated and sorted data to commence analytical accounting of them as follows:

Open coding refers to the process of breaking down, comparing and conceptualising the data into categories (Kvale, 1996). To demonstrate the use of open coding in this research, I classified the data collected for question one for oil companies into four phenomena consisting of economic responsibilities, ethical responsibilities, legal responsibilities and philanthropic responsibilities, and each with units. Question two was classified into ethical practices, perception of CSR in developing/developed economies, CSR regulations and cultural perspectives. Question three concerning local communities, Nigerian government representatives and other stakeholders was classified into state of human rights with units of agriculture, infrastructural facilities, employment, freedom of movement, conflicts, corporate citizenship, governance, voice and agency, and sustainability. Sustainability was further divided into economic sustainability, social sustainability and environmental sustainability. All the classifications of phenomena in questions one and two also had some units, and the units with similar or the same meanings, such as overall profit, declaration of profit, sharing of profit, deduction of CSR costs from profit and effects of CSR on profit, were

classified together to provide a code of profit (that is, conceptual categories were used). To create codes, I commenced with a 'start list' which I prepared based on research questions and objectives. I reviewed the data line by line, word by word, and paragraph by paragraph, I read, reread, and reread each paragraph and reviewed the data. The above system of building codes is supported by Charmaz (2006), Strauss (1987) and Strauss and Cobin (1990). To identify provisional codes, I read and reread the transcripts on a regular basis, and I identified contrasting groups with similar or the same phenomena and segmented them to form categories.

Axial coding, on the other hand, refers to the process where the category and subcategories which emerge through the open coding are put together and interpreted through linking codes in the context of their relevant categories (Kvale, 1996). In the axial coding of this research, I refined substantive categories in open coding and I identified relationships between categories. To achieve this, I proceeded to build codes by adopting an inductive rationale of developing concepts, categories, and relations within the transcripts. To proceed, I re-confirmed the concepts, categories and relationships to identify which codes were relevant to the themes, research questions and objectives.

In selective coding, I continued to elaborate on the preceding themes and I discovered that they remained very relevant to form the core of subject matter on CSR in MNOCs and its impact on SD in the Niger Delta (Charmaz, 2006; Strauss and Cobin 1990:131). The grounded theory approach was assaulted of time consuming, access to data, and logistical implication (Sauders et al., 2007:501), but remains the best approach in data categorisation and determining relationships among categories (Flick, 2010:92).

4.8.2 Archival data analysis

Archival data analysis enhances analysis of written materials in the form of memos, personal biographies, legal briefs, letters, diaries, newspapers, annual corporate reports,

or other documents about CSR in MNOCs and its impact on SD in the Niger Delta and related issues into meaningful units, using carefully applied rules (Aaker et al., 1995:190).

- **The analytical process for archival data in this research**

The analytical process for archival data in this research begins with assessing the quality of documents. In Scott's (1990:6) suggestion, researchers should consider four fundamental criteria before exploring any document for research. These criteria were prominently and widely considered in the analytical process for archival documents in this research, and consist of authenticity, credibility, representativeness and meanings of the documents.

To analyse the archival data in this research, I used qualitative media document analysis, qualitative content analysis and the constant comparative method.

In qualitative media document analysis (Altheide and Schneider, 2013), I obtained archival documents such as newspapers and magazines to comprehend the various issues on CSR in MNOCs and its impact on SD in the Niger Delta. In qualitative content analysis, text and documents, as a form of human communication, are used, and are the most common subjects utilised in content analysis (Thia, 2011). These are made up of all forms of publications in the media, including newspapers, magazines, articles and websites, government records and professional journals. The constant comparative method involves the systematic breaking down of archival data into discrete incidences (Glaser and Strauss, 1968) or units of analysis (Lincoln and Guba, 1985) as well as coding them to categories. In the use of the constant comparative method, Glaser's (1969:220) suggestion regarding essential characteristics of this method was strictly adhered to in the context of this study – it consists of basics such as comparing incidence applicable to each category, integrating categories and their properties, delimiting the theory and writing the theory.

4.8.3 Website content analysis

Websites, therefore, provides useful information about ethical behaviours (CSR policies and practices) of oil companies. Websites, also, are tools for gaining insights into valuable contemporary thinking on CSR policies and practices of oil companies operating in the Niger Delta (Cornelius et al., 2008). To continue with the website documentation, I clustered the list of the oil companies based on indigenous oil companies (IOCs) and multinational oil companies (MNOCs) with the themes which describe their CSR policies and practices in the Niger Delta including the environment. Meanwhile, other themes that emerged were reflected in subsequent tables in other sections of this chapter. To achieve these effectively, I selected a sample of five IOCs and five MNOCs whose corporate policies and practices appeared on the websites.

For the sample of IOCs, I selected Nigerian Petroleum Development Company (NPDC), Dubri Oil Company Limited (DOCL), Pan Ocean Oil Corporation (POOC), Oriental Energy Resources and Afren Global Energy Resources. I explored NPDC because it is the leading IOC and the exploration and production arm of the Nigeria National Petroleum Corporation (NNPC) and produced 125,828 bpd in 2012. Dubri Oil Company Limited and Pan Ocean Corporation produced 7387 bpd and followed by other oil companies. For the sample of MNOCs, I selected Shell Petroleum Development Company (SPDC), Chevron Exploration and Production Company, TOTAL (Nigeria) Exploration and Production Company, Mobil Producing Nigeria Unlimited and Agip Energy and Natural Resources Nigeria.

My main criteria for the use of these oil companies as samples stem from the fact that they are among the giants in oil exploration and production in Nigeria. Apart from this, they played significant roles in the Nigerian joint venture deal. For example, where NNPC holds 55%, Shell Petroleum Development holds 30%, TOTAL 10% and Agip 5%. Thus, in the joint venture between NNPC and Chevron, NNPC holds 60% while

Chevron holds 40%, revealing that Chevron is a giant in exploration and production activities in Nigerian oil and gas industry.

4.8.4 Photovoice analysis

Parker's (2008) analytical procedures on photo-elicitation were explored in the context of this study to analyse photovoice. First came general appraisal of the photos, comparing what they purport to represent with written documentary evidence on CSR and SD in the Niger Delta. Second, from the photographs, I searched for dominant themes. Third, the photos were re-examined with a view to interpreting the detail and nuances of how oil companies' operations impact on communities in the Niger Delta taking into consideration both internal and external narratives (stories). The internal narrative is the focus of image content, while the external narrative is the social context of image production and the social relationships surrounding the image (Banks, 2001).

4.9 Fieldwork report

The fieldwork for this research commenced immediately after the ethics approval was granted by the Humanities and Social Sciences Research Committee of University of Bradford on 28th March, 2013. However, before I proceed to explore the various activities that constitute the research fieldwork, it will be appropriate to digest the term 'fieldwork'.

Fieldwork refers to an investigation or search for materials, data, etc. made in the field as opposed to the classroom, laboratory or official headquarters (Free Online Dictionary). On the other hand, the Oxford Dictionary defines fieldwork as *practical work conducted by a researcher in the natural environment, rather than in a laboratory or office*. Hence the fieldwork activities of this research consist of the following:

- **Pilot interviews**

The term pilot interviews, otherwise called pilot studies or feasibility studies, refers to a smaller version of a full-scale study as well as the specific pre-testing of a particular

research instrument such as questionnaire or interview schedule (Teijlingen and Hundley, 2001). Other names for the pilot interviews include pre-testing or trying out of a particular research instrument (Baker 1994:182–183). The pilot interviews for this research were conducted with four participants. The major reasons for the researcher's use of the pilot interviews in this research stems from the fact that it provides an opportunity to make adjustments and revisions to the main study.

For example, after the first pilot interviews, the researcher completed the transcripts of the interviews and forwarded them to his supervisors for comments. The supervisor *Professor Cornelius* went through the transcripts, made some observations and recommendations, and passed some comments. Again, the researcher forwarded the completed transcripts of the second pilot interviews to the supervisors and Professor Cornelius passed comments and made recommendations on these as well.

Based on the above, it is evident that the importance of pilot interviews cannot be overemphasised. Without the pilot interviews, the observations, comments and recommended adjustments dictated by the supervisor of the researcher wouldn't have been a reality. Hence, these adjustments were strictly adhered to and reflected in the pilot interviews before the researcher proceeded to carry out the main phase of the fieldwork.

Other reasons for the adoption of the pilot interviews in this research include:

- To assess the feasibility of the entire research.
- To assess the proposed recruitment strategies for this research.
- To enhance internal validity of the interview questionnaire.
- **Duration of the fieldwork**

The fieldwork lasted for a period of eight months and a week. I arranged to travel to Nigeria on 7th November, 2012, with the hope that the ethics application process would easily be a thing of the past by then. However, this was not the case, even though I kept

reviewing the research literature side by side with amendments recommended by the Ethics Research Committee of the University. Finally, ethics approval was granted on the 28th March, 2013 by the Humanities and Social Sciences Research Ethics Committee of the University of Bradford. On the 29th March, 2013, my supervisors instructed that I should commence the pilot interviews, which which lasted for a period of one week in Bida, Niger State of Nigeria, and the following week I proceeded to Edo State where the main phase of the fieldwork was carried out.

- **Data collection**

Interviews

During the fieldwork in Edo State, I contacted and engaged with numerous participants including the oil companies, local communities (particularly oil- and gas-producing communities), NGOs, Nigerian government representatives in oil and gas, Nigerian environmental regulators, development agencies and other stakeholders. With the above categories of participants, the researcher was able to conduct interviews, made field notes, obtained archival documents including newspapers and magazines and, finally, made observations and photovoice.

4.10 Validity and reliability

Validity and reliability are two strong paradigms used simultaneously in qualitative research. This assertion was underpinned by Patton (2001) and Silverman (2006). Patton (2001) argued that validity and reliability are two main factors which any qualitative researcher must be concerned with in the process of designing a study, analysing results and also judging the quality of any research. Because of the research quality implication, Silverman (2006) averred that validity and reliability are paramount issues in field research and are the two central concepts in any discussion of the credibility of scientific research.

However, validity and reliability in qualitative research have been subjected to different terminologies over time – for example, Miles and Huberman (1994) referred to internal validity as credibility and or authenticity, external validity as transferability and / or fittingness, and reliability as dependability and / or auditability. I explored face validity (Gaber and Gaber, 2010) and reliability as suggested by a plethora of scholars (Silverman, 2006; Bryman, 1988; Kirk and Miller, 1986:52; Spradley, 1979) in this research on CSR in MNOCs and its impact on SD in the Niger Delta. Find below an examination of the research's validity and reliability.

- **Research validity**

This research explored face validity (FV) to substantiate the rigour, robustness, trustworthy and authenticity of the methodology. To clarify the subject matter on validity, some questions must emerge: how do we define validity and FV? Why is FV relevant in this research? Numerous proponents advanced the meaning of the term 'validity'. For example, Hammersley (1990:57) perceives validity as the extent to which an account accurately represents the social phenomena of the study. Kerlinger (1986:47) viewed validity as a question. Kirk and Miller (1986:19) highlighted that validity is the extent to which a measurement provides the right answer. FV, on the other hand, is the assessment technique utilised to comprehend community comments and it is grounded in qualitative observations (Gaber and Gaber, 2010). Krippendorff (2004:313) defined FV as an ex post facto assessment applied in practical situations to see if a study appears to make sense *without having to give or expecting to hear detailed reasons*.

However, FV is rapidly gaining attention from CSR and SD theorists, environmentalists, social scientists and a host of researchers who are searching for a more holistic assessment of their research projects by the community. Also, there is growing interest among CSR and SD commentators and international scholars to explore community participation from a qualitative research approach (Maginn, 2006).

This research on CSR in MNOCs and its impact on SD in the Niger Delta were not exonerated from comprehending the views of oil-producing communities using FV. Therefore, FV is an assessment technique used to understand the comments of communities. It thus implies that its use is paramount to the focus of this research which seeks understanding through meanings and lived experiences of local communities in the Niger Delta in a real-life and holistic context (Gaber and Gaber, 2010; Yin, 2009).

FV in the context of this research facilitated the assessments of CSR in MNOCs and its impact on SD in the Niger Delta on the face of things (Alderson, Clapharn, and Wall, 1995:172; Anastasi, 1976:39; Nevo, 1985:288; Secolsky, 1987:82). For example, FV guides the researcher after analysis to step back and ask, on the face of things: is this research conclusion reasonable and sensible in the eyes of the Niger Delta communities that are directly affected by the study?

FV in this research serves as a toolkit for evaluating the CSR in MNOCs and its impact on SD in the Niger (Gaber and Gaber, 2010:130). In the empirical research process, I maintained good public relations as recommended in face validity (Nunnally, 1978:111; Secolsky, 1987:12) which facilitated my interviews with local communities, the oil companies, policymakers and other stakeholders as clearly indicated in the interview sample.

With FV, the researcher ensures that prominent challenges on CSR in MNOCs and its impact on SD in the Niger Delta are appropriately articulated and examined (Scott & Presmanes, 2001:375; Freeman. 1963:90). FV assists the researcher to a great extent to use common sense to determine if the study assessment results are sensible (Krippendorff, 2004:314). It is therefore pertinent to mention that face validity is concerned with the overall relevance of an entire completed study (Neudorf, 2002:116), and it should be applied as soon as the research is completed (Nunnally, 1987:111). This area poses some striking questions: why must face validity be applied after

completion of this research in spite of its substantiated earlier relevance? And are there benefits and criticisms associated with FV? I will emphasise three key factors to answer the first question.

First, the judgement of FV ontologically assumes that the local communities and stakeholders in the Niger Delta provide empirical evidence devoid of technical observation in the research process (Gaber, 1993:139). Based on FV's assumption, it implies that the evaluation and assessment of this research on CSR in MNOCs and its impact on SD in the Niger Delta represent the views of the local communities and stakeholders in the Niger Delta. Dewey (1969) underpins this assertion in his work on *ontological value of lived experiences*. Dewey (1969:158-161) early works revealed that: *the real essence of things is neither their pericipi, nor their intelligi alone, it is their experiri*.

Second, we consider FV's views of the **emic-etic** epistemological approach to data collection (Pike, 1967, 1990; Lett, 1990). **Emic views** mirror views of the group members – the insiders; in this regard, for example, **emic views** reflect the views of the local communities and stakeholders on CSR in MNOCs and its impact on SD in the Niger Delta in the empirical research process during data collection. The adoption of FV in the context of this study enhances the use of **emic views** to 'discover' extensive information on the study focus from the people of the Niger Delta communities and stakeholders (Kidder, 1982: Lett, 1990:130; Pike 1967:55). **Etic views** signify 'objective' views of the outsiders that are investigating the group (Plato, Clark and Cresswell, 2008:290). In this case, for example, **etic views** are my views as a researcher on CSR in MNOCs and its impact on SD in the Niger Delta. It depicts what I see and experience in the empirical research process.

Third, the use of FV for this research not only contributed positively to strengthening the methodology, findings and conclusions, but will assist the federal, state and local

governments, international organisations such as the United Nations, MNOCs, NNPC, DPR, NGOs, stakeholders and local communities to search for a way forward, and provide a new way of thinking about future sustainable developmental programmes of the region.

Further, FV enables the researcher to comprehend the interaction and mutual relationships between the local communities and MNOCs including the various government representatives controlling the region (Patton, 2002:561). Kidder (1982:58) argued that FV is specifically designed to confirm and test validity based on the researcher's lived experience. Kidder surmised that accepting the naive observer's theories at face value is not comprehensive enough to be judged by FV. Rather, FV incorporates perspectives on the subject matter, meaning of events and other constituencies in the assessment (Kidder, 1982:58).

Also, there is growing interest among CSR and SD commentators and international scholars to explore community participation from a qualitative research approach (Maginn, 2006). On the other hand, FV has been criticised by Anastasi (1976:140) and Nunnally (1978:111) for lack of precision, depth and rigour in investigations that involve both internal and external validity tests. They argued that FV is not competent to stand alone for an assessment of research findings and therefore must be preceded by internal and external validity testing.

- **Research reliability**

Reliability in simple terms refers to replicability of the study. In some cases, reliability is referred to as quality control (Goetz and LeCompte, 1984; Smith and Robbins, 1984). It focuses on whether or not future researchers could repeat the study to arrive at the same outcome or outcomes and interpretational claims (Silverman, 2006). However, proponents of qualitative research have postulated various strategies on how to address reliability in qualitative research of this nature (Silverman, 2006; Kirk and Miller, 1986)

consisting of observing interview protocols, ensuring consistent interview transcripts, documenting field notes and checking the analysis of the data by other researchers. These evolving strategies were contextualised and observed in this study. In the fieldwork prior to the semi-structured interviews, interview protocols were observed as earlier indicated in preceding interview protocol summary. Moreover, the semi-structured interviews conducted with the participants were recorded using an audio recorder which was set to clearly record the voices of the participants (Silverman, 2006; Bryman, 1988; Kirk and Miiler, 1986:52; Spradley, 1979). After the interviews, I played the audio recorder several times to listen carefully in order to understand the responses of the participants before transcribing the interviews consistently using standard conventions which were also applicable to document the field notes (Kirk and Miller, 1986:52). Even after the transcriptions, I gave out the transcripts of the interviews to independent third parties for checking (Silverman, 2006).

4.11 Ethical considerations

Reynolds (1979) deemed ethics to be rules of conduct – typically conformity to a code or set of principles. The fieldwork of this study commenced after formal ethical approval by the University of Bradford’s research ethics committee. This was followed by preparation of informed consent processes for interviewees in accordance with the University of Bradford’s code of practice on research ethics as attached in appendix A. Hence, informed consent was secured through the use of an information sheet and a formal consent form. The former informs participants of the nature of the research and makes them aware that it is a voluntary activity. They were given the consent form and asked to sign it to indicate they were willing to participate in the interviews. After signing, they had 48 hours to rescind this consent before being interviewed. They also received a separate copy of the consent form as a reminder of the agreement they had entered into.

In the information sheet for the interviewees, it was clearly stated that participants could withdraw from the interviews at any point and without providing an explanation. This was reinforced verbally by the researcher and if there was any reluctance during the interview process, the researcher reminded the participant of this option. After the interview, participants were given the option of receiving a precis of the research findings at a later date. They were also informed of this in the information sheet as well as their right to withdraw their data up to the point that the data were being analysed. During analysis, a coding scheme was used to protect the identity of participants. The coding scheme and the interview data were stored separately and no third parties had access to these. When writing up the research, anonymity of the participants has been protected further and any identifying information excluded from quotations and descriptions.

4.12 Methodological limitations

- **Distance and cost**

Distance as a limitation of this study can be viewed in three ways. First, as the United Kingdom is the country where I am studying and Nigeria, my home country, is where the data for this study were generated, it thus involved a huge financial commitment for flights and associated logistics to holistically and assiduously gather data for the research. Second, even within Nigeria, my state (Niger State) and Edo State are not in close proximity. Driving from Niger State to Edo State in a private car takes six and half to seven hours. As you can imagine, a commercial vehicle could take about seven and half to eight hours without hold-ups, and with hold-ups it could take even longer. Third, within Edo State, the oil- and gas-producing communities I visited to collect data are scattered across three local government areas situated far from each other, though I avoided locations considered unsafe in order to successfully conduct the fieldwork.

- **Attitudes of the participants**

Participants are divided into three categories to shape the explanation of attitudes of the participants. These consist of: oil companies, oil- and gas-producing communities and stakeholders. In the case of the oil companies, gaining entrance to their offices is quite a serious challenge. The offices are heavily guarded with security men and women Army and Mobile Police Force (MOPOL). I was subjected to a series of interrogations and delays several times when I went to visit the companies before I could gain entrance to their premises. They are very difficult people to deal with as far as collection of data is concerned. Oil companies are ‘chameleons’ wearing different clothes with different colours, and thus change their clothes and colours at any time. Any potential researcher intending to collect data from oil companies must be well prepared and anticipate any kind of Machiavellian pranks in the course of collecting data from the oil companies.

My main reasons for describing the oil companies as chameleons stem from the fact that they are not straightforward and will never inform you that they are not ready to attend to you but, rather, will keep playing you here and there. For example, 90% of the oil companies in the Niger Delta have their headquarters located in Lagos. The oil companies have deliberately located their headquarters in Lagos to save their heads from having to attend to people even if the cause is genuine. They keep telling you: *we have to communicate with the headquarters in Lagos and receive instruction before we can attend to you, which could take some weeks*. A specific date will be given to you to come back and, when you go back, they will tell you that they have been instructed by headquarters to instruct you to get a letter from the Ministry of Petroleum Resources, which is very tough and, unless you are well connected, you will not be able to get the letter. If you do somehow get it and take it to them, they will tell you: *we have to send it to the managing director (MD) through the post to Lagos and get his assent, so come*

back after a few weeks. If you go back on the date they specify, they will tell you that the MD had already travelled overseas before the letter got to the headquarters. So come back later... and that is how they will continue to play you like a ball. In short, you have to be very dedicated to deal with them because they feel you are trying to dig into their business affairs to uncover their unethical corporate practices; they see everybody as a spy and therefore do all they can to systematically keep you out of their way.

For oil- and gas-producing communities, because of their previous experiences of marginalisation, deprivations, neglect from both the government and oil companies and brutality from security agencies such as the MOPOL, Army or Navy, they are very hostile and harsh, especially when they see a new face in their communities. Their areas of concern are: why are you here? Is it for good or to spy for the government and the oil companies? I got this information from the locals after I completed interviews in one of the local communities. So, before you are attended to at the oil and gas communities, you must be physically present with a known face or else you find yourself under suspicion. This reminds me of my conversation with a key officer in the office of one of the environmental regulators, after interviews with him; he said: *it is good news when you visit the oil- and gas-producing communities and you come back successfully.* In all the eight oil- and gas-producing communities I visited, community executive meetings were convened before an executive was assigned to attend to me.

Another critical challenge that I faced in data collection for this study from the oil- and gas-producing communities is accessibility in terms of road terrains. In all the eight oil- and gas-producing communities that I visited, only two of the communities have fair accessibility. For example, the riverine communities have no road accessibility at all; you can only get there via water transportation such as boats, and at specific times.

For other stakeholders, especially those from the public sectors, bureaucracy posed some serious challenges and the employees were reluctant to release some pertinent

information during interviews for fear of losing their jobs. So, in most cases, there is a limit to the extent to which you can probe the interviewee to get information. Getting archival documents released is another challenge in the public sector. Representatives keep telling you that their information is buried in files and therefore could be very difficult to access. In some of the public sector departments I visited, they said: *we cannot release any documents to you without formal approval from the governor or minister who is at helm of the affairs of the organisation.*

4.13 Chapter summary

This chapter highlighted the discussions of the philosophical paradigm which describes the ontological and epistemological positions of the study. Further, the social construction of corporate social responsibility and the research tradition (interpretive approach) were discussed. Covered next was subaltern theory (postcolonial theory), which describes the hegemonic domination and marginalisation of those whose voices are silenced by the oppressors. I proceeded to discuss the research method, integrating research design, sources of data, data analysis, fieldwork reports, research validity, reliability, ethical considerations and methodological limitations. In the next chapter, I will describe my visit to Edo State for data collection.

5 CHAPTER FIVE: VISIT TO EDO STATE FOR FIELDWORK

5.1 Introduction

This chapter presents my visits to Edo State in Nigeria for the study fieldwork. The purpose of this chapter is to familiarise readers with the environment where the study fieldwork was conducted, why I visited the communities, how I visited the communities and the difficulties I faced when travelling to the communities. My main reasons for visiting these communities were to understand the environment where oil companies operate and how their operations benefit and impact on these communities. The account begins with a visit to Benin City. It was thereafter followed by visits to oil- and gas-producing communities, visits to riverine oil- and gas-producing communities (Ajoki and Ajamimogha) and visits to four oil and gas flow stations and oil wells.

5.2 Visit to Benin City

Benin City is the capital of Edo State in Nigeria. It is located in the southern part of Nigeria and is about 25 miles north of the Benin River. My visit to Edo State for fieldwork on Sunday 21st April, 2013, was dependent on two factors. First was the ethics approval granted on the 28th March, 2013, by the Humanities, Social and Health Sciences Research Ethics Committee at the University of Bradford. Second was the commencement and completion of four pilot interviews on memories of commercial activities of the Royal Niger Company in Bida, Niger State, Nigeria.

On completion of these two requirements and after getting feedback on the pilot interview transcripts from my supervisors, I set up the journey to visit Edo State.

It is pertinent to note that the journey from Bida to Edo State took six to seven hours, passing through Suleja via Abuja, Gwagwalada and Kogi State via Kotonkarfe, Lokoja, and Okene before I entered Edo State. In Edo State, I passed through Ewu, Auchi, Eruwa and Ekpoma, before arriving at Benin City. In Benin City, my first point of call

was Aduwawa, which is the first area one passes through before reaching the heart of the city. I stopped at Aduwawa to call a friend who has resided in Benin City for the past six years to inform him that I had arrived. I called him and he directed me to meet him at Ring Road Roundabout, a few kilometres from Aduwawa. I arrived there and met my friend, who took me to the Edo-Delta Hotel where I lodged; this was at Iguosa Estate on the Benin-Lagos Expressway, Benin City.

I must confess that the Ring Road Roundabout, also called King's Square, is substantial – the widest in Nigeria and located at the heart of Benin City, as shown below.



Figure 8: Benin City Ring Road Roundabout

Source: www.google.co.uk/search?q=Benin+city+ring+road+roundabout&hl=en-GB&bi

It links ten adjoining streets (junctions) consisting of Mission Road, Oba Market Road, 2nd Oba Market Street, Secretariat Road, Airport Road, House of Assembly Road, Sapele Road, Sokponba Road, Akpakpava Street and Forestry Road. Wherever you are in Benin City, once you get to the Ring Road Roundabout, it becomes easy for you to find your bearings to reach anywhere within the city. As a visitor in the city, it wasn't easy for me to locate all the places I visited for data collection. I kept asking people but sometimes this results in confusion.

In short, it took me and my driver almost two weeks to understand the road networks to the areas we visited. In the end, I was able to gather data for the research within Benin City from these categories of interviewees, consisting of development agencies, environmental regulators, government representatives in the oil and gas sector, non-governmental organisations, oil and gas companies, mini-palm-oil companies and other stakeholders.

5.3 Visits to oil- and gas-producing communities

The oil- and gas-producing communities, otherwise known as the host communities or local communities, have been divided into three groups and each claims equal rights to be taken care of by the MNOCs (see Idemudia and Ite, 2006). These consist of:

- (i) Producing host communities – communities where onshore oil explorations are undertaken
- (ii) Terminal host communities – coastal host communities on whose territory port or terminal facilities are located, sometimes because oil exploration takes place offshore.
- (iii) Transit host communities – communities through whose territory transit pipelines pass.

Based on the above classification, the communities I visited are all producing host communities, which I refer to in the context of this research as oil- and gas-producing communities or local communities.

In Edo State, there are three local government areas that are made up of oil- and gas-producing communities: Ovia-North, Orhionmwon and Ikpoba-Okha. In each of the local governments, there are a number of oil- and gas-producing communities. I visited the three local government areas and thus the major oil- and gas-producing communities in each. For example, in Ovia-North, I visited Ughotan and Gelegele oil- and gas-producing communities (the Ijaws and Benins). In Orhionmwon, I visited Oben and Owuo oil- and gas-producing communities (mixture of native communities), and in Ikpoba-Okha, I visited Ologbo, Obayantor 11, Ajoki and Ajamimogha oil- and gas-producing communities (Itsekiris). Ajoki and Ajamimogha are two of the riverine oil- and gas-producing communities in the Ikpoba-Okha Local Government Area of Edo State.

5.4 Visits to the riverine oil- and gas-producing communities (Ajoki and Ajamimogha)

As a researcher who wants to comprehend the crux of CSR in MNOCs and its impact on SD in the Niger Delta, I had no option other than to visit the oil- and gas-producing communities, especially the riverine communities. I must emphasise that going to the riverine communities was a great task during which some measure of enthusiasm, patience and wisdom was required on my part to carry out effective investigation into the subject matter.

Even though I was informed by an interviewee in Benin City to forget about visiting the riverine oil- and gas-producing communities because there are no roads to those communities, I still wanted to believe that I could get there. So I took off from Benin City to Koko, a distance of about 80 km, and from Koko I was directed to the riverside (Koko River). When I got to Koko River, I packed my car and boarded a motorised boat to Ajoki and Ajamimogha. But before we boarded the boat with my driver and an indigene of one of the communities, we stood for more than ten minutes praying because of the length, depth and size of the river. While we were praying, others from the communities were laughing at us and arguing that boarding the boat is never a problem. After our prayers, we took off to Ajoki before coming back to Ajamimogha.

In both Ajoki and Ajamimogha, I interviewed the executives of the communities. I also confirmed with the executives of the communities whether it was possible to go back by any other means of transportation apart from by water and they said no – that is the only means available and no other option is possible. But, to my surprise, there were very good driveable roads in each community from the riverside to the flow stations located in the communities and most of the roads were surfaced; some were still under construction but of high enough quality for easy access to the flow stations. On our way back, we saw the barge of an oil company operating in the communities opposite our

side of the river with employees going to the flow station located in one of the communities.

The visits to the riverine oil- and gas-producing communities were a great experience in the sense that the local communities I had been hearing about, or whose names I had just seen in articles or on the internet, I had now physically visited. For example, Koko is an historic town I had heard and read about in articles on commercial activities of the Royal Niger Company in the Niger, Benue and Oil Rivers. But, surprisingly, I reached it unexpectedly on my way to and from the riverine oil and gas communities for the research fieldwork – what a great experience! And, to be candid, the visits were not just an adventure to be enjoyed, but opened up crucial insights into CSR in MNOCs and its impact on SD in the Niger Delta.

5.5 Visits to four oil and gas flow stations and oil wells

There are several oil and gas flow stations spread across the three local government areas, Ovia-North, Orhionmwon and Ikpoba-Okha that make up the oil- and gas-producing communities in Edo State. But before I delve into describing the flow stations I visited, it will be ideal to define the term *oil and gas flow station*.

According to an ‘engineer’ in one of the flow stations: *an oil and gas flow station is a point of physical separation, it stabilises the crude oil to meet commercial specification, or a gathering point where you stabilise the crude to meet commercial specification [MNOC 1].*

The engineer further revealed that:

At the flow station, what is done is that by physical separation you settle the oil, so that water by raising of gravity is greater than oil, it will all settle down. Then followed by oil, and the gas will be at the top mostly. So by surface displacement, the gas goes out to the flared side where it is burnt [MNOC 2]

In Ovia-North, I visited one oil and gas flow station at Gelegele. In Orhionmwon, I visited a flow station and a gas plant at Oben, and in Ikpoba-Okha Local Government Area, I visited two oil and gas flow stations at Ologbo and Ajoki. But I was fortunate to interview only an ‘engineer’ and ‘health and safety personnel’ in one of the oil and gas flow stations. It is worth mentioning that all the flow stations are located within the communities. In some communities, the location of the flow station is just few metres away from the domain of the residents, while some were located in the midst of the communities. In one of the communities where a flow station was located in the midst of the residents (Gelegele community), I was eager to quickly complete the interviews with an executive of the community because of the heat from the gas flare of the flow station. Gas flaring is a process of combusting fossil fuels and a major source of carbon dioxide pollution from the oil industry. It is apt to describe the heat of the gas flares from the flow station as *hell fire on earth*. This development prompted me to ask the interviewee about the impact of the gas flares from the flow station on the community. Below is the photograph of the flow station’s gas flare, located in the midst of this oil-producing community, Gelegele community, in Edo State.



Figure 9: Gas flare from Gelegele flow station by Dubri Oil Company

Source: Ndajiya (2013)

Gas flaring inflicts several impacts on health and environmental quality. The United Kingdom Offshore Operation Association (1997) observed that, apart from CO₂, gas flaring from oil refineries emits atmospheric-ozone-damaging gases like CFCs (chlorofluorocarbons), HCFCs (hydrofluorocarbons), ozone-forming smog gases, VOCs (volatile organic compounds) and acidifying gases, NO (nitrogen oxides) and SO_x (sulphur oxides). Also, the Intergovernmental Panel on Climate Change (2001) revealed that approximately three quarters of the anthropogenic emissions of carbon dioxide to the atmosphere, which are believed to be the principal cause of global warming, have their origin in the combustion of fossil fuels. The following is an extract from the interviewee on gas flares:

Because there are times this flares when it explodes, sometimes the sound, the vibration on the ground, people will be afraid. So because

of that in the night so many of us we don't have to go out because you don't know next what will happen [LC, GLE 1].

He further averred:

And if you can see, when you go close to the flare, you find out that the vibration is more, you get the feel of the vibration. That is why you find our houses they get cracked, and because of that children are afraid to go out. People sometimes in fishing environment have to relax because even if you go there, you don't know what will happen the next minute because sometimes something does explode [LC, GLE 2].

It is worthwhile to reveal that Gelegele oil- and gas-producing community can be accessed by both road and water transportation because there is a big river passing beside the community. I went to the riverside, which is just by the community and the flow station, with the community executive I interviewed, and I saw one extremely large ship by the riverside fully loaded with soldiers. Before we got very close to the ship, one of the soldiers at the entrance of the ship was already shouting to the executive *who are these people?* I was baffled and scared and the executive replied *they are my brothers*. We got to the main entrance of the ship but only the executive was allowed in to see their boss in the ship, while we waited at the entrance. After about two minutes, the executive came out of the ship and we left, he warned me before taking me there that I should not attempt to take a photograph.

On our way back, I asked the executive why the soldiers were there. He said: *This is their base 24/7, protecting the flow station, and there are other marines on patrol, too, hunting for sea pirates [LC, GLE 3].*

The only tangible amenities I saw in the community included an abandoned borehole by Dubri Oil Company and a cottage health centre by Niger Delta Development Commission (NDDC), without drugs or nurses.

I also observed that all the buildings of the community were dilapidated; reasons advanced by the indigenes were gas flares and oil spills.



Figure 10: Delapidated buildings of the locals of Gelegele community of Edo State

Source: Ndajiya (2013)

I also saw an oil well in one of the communities (Ughotan) located just beside the residence of some inhabitants by the Dubri Oil Company. The echoing noise from the oil well directly impacts on the residents of the community. Some of the indigenes residing by the oil well find that they don't sleep at night because of the huge volume of noise from the oil well. See chapter six under 'Findings and analysis on sustainable community development in local communities of the Niger Delta' for photographs of the oil well.

According to one of the executives of Ughoton oil- and gas-producing community, where the oil well was located, this oil well had been located in their community since

1957 and, apart from the edifice of the cottage hospital without drugs and medical personnel and the abandoned water borehole, there was nothing to show that they were one of the oil-producing communities in Edo State.

He further lamented that: *this is not the only oil well located within my community, there is another oil well down there in addition that is also located within the community [LC, UGH 4].*

While he was expounding on these issues, I observed him, and he was bitter and demonstrating annoyance, negative feelings and anger in his expressions about neglect of local communities by MNOCs operating in the Niger Delta.

Let me unravel some of the experiences I had on my way to Imasibo and Ologbo oil- and gas-producing communities of Edo State. Basically, these communities are located along the Benin-Warri Expressway. But the hearts of these communities are off the expressway. Though there are several roads that link to the communities. I visited these communities twice, and my first visit was with the assigned staff of one of the oil companies with their official vehicle and, for these reasons, I was not subjected to any delays, and that was when I visited the oil wells and the oil and gas flow station located in one of the communities. Also, along the same stretch, I saw a Joint Task Force patrol team with a Jeep and some security men heavily armed with noisy sirens patrolling the communities. Also, on our way to the oil wells and the oil and gas flow station, I saw a substantial proportion of the environment/roads linking the communities and the oil wells and flow stations barricaded with a signpost and crossbars labelled *movement in the barricaded areas is prohibited*. Apart from the Joint Task Force patrol team, I saw some uniformed mobile policemen in camouflage ‘on guard’ and heavily armed at strategic locations within the communities.

On our way back from the oil wells and the flow station, the staff of the oil company took me to a block of classrooms. I used covert participant observation to observe the

block of classrooms and I discovered it to be a block of six classrooms with toilet facilities and a headmaster's office, built at Ologbo by the NPDC. In addition, he showed me an incomplete cottage health centre built by Pan Ocean Oil Corporation (POOC) at Imasibo.

My second visit to the communities was when I went back to interview a participant in Ologbo oil- and gas-producing community. The road I followed ran to Imasibo, and then to Ologbo. But the moment I left the expressway to gain access to Imasibo, I was intercepted by some men from the State Security Service who were in mufti. They subjected me to a series of rigorous interrogations before I was allowed into the communities.

In Ologbo, I had interviews with an executive of the community. In the interviews, the executive revealed that, prior to the discovery of oil, their means of livelihood was agriculture (farming and fishing) and was quite sustainable: *Like our parents are farmers, so before the discovery of oil as far as the community is concerned our crops were normal. But now, the crops are not doing well [LC, OL 5].*

He lamented further that:

The state of infrastructural facilities in this local community is very low, very, very. Because like we the oil-producing community, we have at least more than like two, three mother companies like NPDC and Pan Ocean. So the way they are going, we the community, we are not happy about them because they are not helping matters at all [LC, OLO 6].

The interviewee discussed the nature of employment offered to the community by the oil companies operating within their domain:

The employment they provide is local. Like that of the NPDC for now, they have been operating for years. So you cannot go the office and see one of the staff from Ologbo. The only employment they give us is local, in one way, may be, when you work for three months they will drop you. So none of Ologbo indigene is working with NPDC as a staff, so it is very obvious, we are not happy about that [LC, OLO 7].

A more basic observation is that of oil spills in some of the oil wells I visited at Ologbo; though there weren't any oil spills at the time I visited them, there were indications of remnants of oil spills previously cleaned up by the oil company. These oil wells in particular were very close to a flow station owned by the same oil company. I explored the merits of the oil company's ownership of both the oil wells and the oil and gas flow station, enquiring of the engineer I met at the flow station.

I asked: in this environment, do you experience oil spills? He replied:

Yes, we do experience sometimes when there is failure in the valves. We might end up before or people might alert us or there is what we call 'well surveillance'. On every turning of the day, it is a routine check for operators to come and check the integrity of the well. To see everything is in order. But like what you are seeing now, no matter what the spillage, it will be contained within this place because there is a depression. So if the oil spills over, it can flow back into that pit which we called 'sealer pit'. And like all these areas you are seeing, they are acquired areas. So unless the oil falls out of the acquired areas often times it may not mean so much of a problem [MNOC, 3.]

I proceeded to ask: when you have oil spills, does it affect the local communities? His response was:

Eh, they feel affected, but normally they should know is an acquired zone. But we do as much as possible to make a timely intervention. To come and then srcup the place, clean up and do some by-remediation exercise so that it will be able to contain the spillage and not allow it to sink into ground water [MNOC, 4]..

I also asked: how often do you have spillages? He explained:

Very very rare, is a very very rare case. Because the company ensure that there must be best practice. And one of the best practices is that you must ensure that you don't spill. Anything you do must be environmentally friendly affairs, umh [MNOC, 5].

I progressed the interviews by asking the flow station engineer: what challenges do you normally face within the local communities?

He said:

Often times like this, they demand scholarship for their children which the company had always made available to them. But I can say from 1999 that I have been in the company to this period. I have never witnessed whether say okay some of these ones that were given scholarship. Whether they have left school and progressed, whether to the next level. From secondary to tertiary, whether they are using good discretion to sponsor these people? Whether the money goes to them and they go to school? Or they just collect the money and pocket it. I think the company has not had the time to make such a statement. And this is very bad because you cannot be giving somebody the money in the name of empowering him. Because is like capacity building with a view to say okay when there is an opening they too can favourably contest get enlisted into the services of the company [MNOC, 6].

I further asked him: how would you describe the relationship of your company with the local communities?

He responded by explaining that:

Umh, I will say it is semi-cordial, semi-cordial in the sense that just like the one we are telling you about the pipeline. We have a write-up and it is acquired. Then there is work that has been undertaken because of the heavy duty earth equipment. There are vandalisation points, and it is the same community guys that go in there to vandalise with a view to killing this hydrocarbon this thing... Now, they have disallowed accessibility, because at least, if the things had not gone out of the acquired place, then you have every reason to come in. But as much as it is even if there are spillages, supposing the company is interesting if they can scup the thing, all you needed to do is to quickly get documented photographs so that they can quickly remove the oil, you don't allow it to sink into the ground. Yeah. But now, they have disallowed the company from coming in, so you have to negotiate with them. And the same person who disallowed this job to be carried out by the operating company have several contracts that have been given to them as in the form of corporate social responsibility to the company aside from scholarships and other things [MNOC, 7].

Below are photographs of some of the oil wells located in one of the communities.



Figure 11: Oil well located in Ologbo oil- and gas-producing community by the NPDC

Source: Ndajiya (2013)

From my physical observations and epistemological point of view on the above oil wells located in one of the communities, even though the concerned oil company made some efforts to limit the oil spills to the immediate surroundings of the oil wells, there was still environmental degradation and contamination evidence that indicated that oil spills from the oil wells had run into the ground water. Thus, the oil company's oil spill prevention strategy of smash holes dotted around the oil wells seems to be highly ineffective. For this reason, more spills could be released into the environment, especially when there is operational failure from the valves or rain during the rainy season, in spite of the depth of the smash holes.

5.6 Chapter summary

The chapter provided clear and comprehensive descriptions of my visit to Benin City, Edo State, Nigeria for fieldwork. I proceeded to describe the heart of Benin City and my experiences of locating the research participants in various organisations, where I interviewed them and collected some archival documents. I described my visits to oil- and gas-producing communities, which led to classification of the oil- and gas-producing communities into three groups (Idemudia & Ite, 2006). Further, I covered my visits to the riverine oil- and gas-producing communities. I outlined the stress and difficulties faced in the process of visiting these communities, including my experiences of visits to four oil and gas flow stations and oil wells located in the oil- and gas-producing communities in Edo State. In the next chapter, I will discuss the findings and analysis of the study.

6 CHAPTER SIX: FINDINGS AND ANALYSIS

6.1 Introduction

This chapter presents and analyses the archival data, the online CSR and SD policies and practices of oil companies in the Niger Delta and interviews with local communities and stakeholders. This chapter deals with the external stakeholders, i.e., those with an active interest in company activities and the impact of these on specific local and national groups. Section two is further divided into six as follows.

The first section presents the results and analysis linked to the first research question on impacts of the oil companies' operations on ecology of the environment. The second section presents the results and analysis linked to the second research question on the overall impact of oil company operations on employment and employment patterns in the Niger Delta. The third section presents the results and analysis linked to the third

research question on the overall impact of oil company operation on community life. The fourth section presents the results and analysis linked to the fourth research question on sustainable infrastructure that benefits the locals. The fifth section presents the results and analysis linked to the fifth research question on contribution of oil companies to improving the long-term well-being and quality of life of locals. Finally the sixth section presents the results and analysis linked to the sixth research question on oil companies' engagement in dialogue with locals regarding activities that are taking place or impact local communities. Then, findings and analysis on SCD, critical knowledge gaps, reflections on the overall results of the study, summary of number of roles per category and Summary of interviews participants per category

6.2 Stage one – impact of oil company operations on the ecology of the local environment

This section presents the results of stage one of the study framework on impact of oil company operations on the ecology of the local environment, as discussed in section 3.2 of the literature review chapter. The results presented in this stage will answer the research question below:

- **What impact do the operations of the oil companies in the Niger Delta region have on the ecology of the local environment?**

6.2.1 Results on impact of oil company operations on the ecology of the local environment

The result of this stage contains website results, interview results and archival results on the impact of oil company operations on the ecology of the environment. Archival data is gained from newspapers, magazines, encyclopedias, books and numerous past records of activities that allow the user to re-communicate these at a later stage (refer to appendix B for more details). Before I begin presenting the website results on

environmental and other policies and practices of oil companies, it would be appropriate to present a summary of oil companies' online CSR / SD policies and practices in the Niger Delta.

- **Summary of oil companies' online CSR / SD policies and practices in the Niger Delta**

| Oil Companies | T1 | T2 | T3 | T4 | T5 | T6 | T7 | T8 | T9 | T10 |
|---------------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|
| NPDC | ✓ | NA | ✓ | ✓ | NA | NA | ✓ | ✓ | ✓ | ✓ |
| DOCL | ✓ | ✓ | ✓ | ✓ | NA | NA | ✓ | ✓ | ✓ | ✓ |
| POOC (Nig) L | ✓ | NA | ✓ | ✓ | NA | NA | ✓ | ✓ | ✓ | ✓ |
| Oriental Energy Resources | ✓ | ✓ | ✓ | ✓ | NA | NA | ✓ | ✓ | NA | ✓ |
| Afren Global Resources | ✓ | ✓ | ✓ | ✓ | ✓ | NA | ✓ | ✓ | ✓ | ✓ |
| SPDCL | ✓ | NA | ✓ | ✓ | NA | NA | ✓ | ✓ | ✓ | ✓ |
| CE & PC | ✓ | ✓ | ✓ | ✓ | ✓ | NA | ✓ | ✓ | ✓ | ✓ |
| TOTAL (Nig) E & PCL | ✓ | ✓ | ✓ | ✓ | ✓ | NA | ✓ | ✓ | ✓ | ✓ |
| Mobil P (Nig) U | ✓ | ✓ | ✓ | ✓ | ✓ | NA | ✓ | ✓ | ✓ | ✓ |
| Agip E & NR Nigeria | ✓ | NA | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ |

Source: Ndajiya (2014)

KEY

T1 = Environmental policies and practices

T2 = Employment policies and practices

T3 = Ethics codes

T4 = Legal policies and practices

T5 = Human rights policies and practices

T6 = Ruggie's framework

T7 = Corporate citizenship policies and practices

T8 = CSR / SD policies and practices

T9 = Corporate governance policies and practices

T10 = Infrastructural policies and practices

✓ = Available

NA = Not available

The fuller explanations of the information in this summary were integrated into the accounts of the respective oil companies' online CSR / SD policies and practices, below.

6.2.1.1 Website results on environmental policies and practices of oil companies in the Niger Delta

The section presents the website results on environmental policies and practices of oil companies in the Niger Delta. The themes identified include: climate change, health, safety and environment, gas flaring, greenhouse gas emissions, biodiversity, water management, preventing spills, cleaner air, remediation, energy efficiency, ecosystem services and fresh water management. The section is further organised as a table in appendix D but explained below.

- **Environmental policies in the Niger Delta / relevance in the Niger Delta**

The results on environmental policies and practices of oil companies operating in the Niger Delta were obtained from website content analysis as discussed in 4.6.3 of the methodology chapter. The findings indicate that CSR and SD exist in the Niger Delta and the oil companies possess environmental policies and practices. This is supported by data (secondary data) on requirement that MNOCs in the Niger Delta must internalise ethical practices that commit them to environmentally safe activities (Cornelius and Wallace, 2011; Cornelius et al., 2008; Takala and Pallab, 2000:114; Ejiofor, 1987).

Finally, the presentation of environmental policies and practices on websites by oil companies reflects evidence of communication by oil companies with the stakeholders and local communities in relation to their CSR and SD efforts in the Niger Delta.

Now, the questions are: are the communications in environmental policies and practices of oil companies targeted toward the local communities and the stakeholders? If yes, do the environmental policies and practices of oil companies sufficiently address the challenges of local communities in the Niger Delta? Find below extracts of interview results conducted with the local communities and stakeholders in relation to the environmental policies and practices of oil companies in the Niger Delta.

6.2.1.2 Interview results on environmental sustainability in the Niger Delta

This section presents the results of qualitative interviews of the study in order to provide further information and, in some cases, explanation for the results already presented from website sections. The structure is similar to that of the previous section on website results in line with the impact of oil company operations on the ecology of the environment. The structure is further organised as one cluster with six themes.

- **Cluster one: environmental sustainability in the Niger Delta**

This cluster consists of six pre-designated themes. The themes include effects of oil exploration in local communities, causes of oil spills, effects of oil spills, responding to oil spills, gas flaring and water pollution. However, only effects of oil exploration activities, responding to oil spills and gas flaring would be analysed in the interviews and archival results. To avoid any ambiguity, environmental sustainability refers to continuous development of the environment of local communities over time.

- ***Theme one – effects of exploration activities in local communities***

The results on effects of exploration activities of oil companies in local communities were derived from interviews with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that all the participants from various

categories did provide the opinion that the oil exploration activities of oil companies in local communities of the Niger Delta impact negatively on the ecology of the local environment. This is opposed by data (secondary data) on environmental sustainability that indicates it is expected that oil companies in the Niger Delta will avoid and eliminate any negative impact on the natural environment, to contribute actively to the health of the biosphere, environmental preservation and control over the environment (Bowen, 1953; Cornelius et al., 2008; Cornelius and Wallace, 2011; Dumphy, Griffiths and Benn, 2007; Sen, 1985, 1985, 1992; Raji and Abejide, 2014; Abe, 2014).

Comparable views were gathered from a representative of the Nigerian government in the oil / gas sector who echoed the negative impacts of oil company operations on local communities in the Niger Delta. In my interviews with him, he said he is a lawyer by profession and he was handling community cases with oil companies operating in Edo State. He stated that oil companies are terrible, acquiring vast amounts of arable land from communities without paying even a token and yet they claim that the land belongs to the government, which they are working for, in order to boost the economy of the country. His views expressed in the interviews include the following:

Very well, so much, it does, because gas flaring shortens the life span of the people. Then again, when huge land areas are taken over by oil companies for exploration activities, the people lose their livelihood. Even as a lawyer before I came to the House of Assembly, I have handled cases bothering on compensations. Which is more like, trying to ache or squeeze out water from the rock from the oil companies and they never take five bags of rice to the people they have deprived of their land. That is the problem we are having in my area. Pipelines laying from one stretch of land to another, from community to community, all of those that use to farm there, they are deprived of the land. Some of them have ancestral worship shrines in those places that they never get to compensate for [GR, HAS 1].

Similarly, an executive in one of the communities that I visited (Ajoki) during the fieldwork of this study pointed out in the interviews the negative impacts of oil exploration and exploitation by oil companies in his local community. He took me

round to physically observe the devastating effect of oil exploration activities of oil companies in the community. Sadly, according to my observation, the communities located within the areas such as Ajoki, Kolokolo have no access roads linking them with other communities nor to a town (Koko) very close to the communities, so water transport (boats) remains their only means of getting from one community to another. I used water transport to visit Ajamimogha and Ajoki and I declined to visit Kolokolo because of the river currents which would be too risky according to the boat operator. Detailed reflections on my journey to these communities are enumerated in 5.1.3 in chapter five.

The participant complained that gas flaring from operations of the oil company in his community affected economic activity such as farming. He explained that other areas affected by the operations of the oil company include their roofs as a result of gas flares from the flow station. Extracts from the participant and a photograph took on the 23rd May, 2013 of the flow station with the gas flare located in the community is below.

Yes, it affects it seriously. It affects us in so many areas. Like now, we are exposed to so many chemicals which they use in exploration. So it may reduce the life span of the communities, and also affect even the ... In this environment, when you roof your house, within a month, you will see the colour will just change. Like this building now, this is a new roof not up to two year, but you look at it now, it has already changed, so it affects the community. So we now see that because of chemicals and all that, when you farm at least, but now, it reduced it. We know that it is because of oil exploration and all that and the chemicals [LC, AJO, 8].



Figure 12: Gas flare from Oziengbe flow station located at Ajoki by NPDC

Source: Ndajiya (2013)

- ***Theme two – responding to oil spills***

The results on responding to oil spills emerged from interviews conducted with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that oil companies do not swiftly respond when oil leakages occur, and, at times, it takes some while before they respond. This is confirmed by data (secondary data) from the Nigerian government estimating that there were over 7000 spills, large and small, between 1970 and 2000; approximately 7000 spills over 30 years is 233 spills a year, and some leakages have been occurring for years (Clyde, 2010).

Similar to these findings were the views of a participant from the development agency. During the interviews, he posited that community representatives kept visiting their

office to complain about laxity on the part of oil companies in responding to oil spills in their communities. He confirmed that an absence of deliberate policy for responding to oil spills posed challenges in local communities:

Of course now, that is the report, and that is the report we get often. And that is why many of these communities like this particular community I talked about, you know, they keep complaining for such a long time and then perhaps, some of these are not cleaned over time. You find that there is no deliberate policy to quickly respond to the need of the communities when such pollution occurs [DE, 1].

A participant in Ajamimogha (riverine) oil- and gas-producing community in Edo State said during the interviews that he is happy that I asked the question about response by oil companies when spills occur. He explained that, on several occasions, oil companies do not respond. He said when leakages occur the oil companies keep asking the local communities to write to them. After they write, they are told they should video it, which they normally do. At times, the companies will turn up at the site, but very late, when the spill has already spread all over the community. He said that sometimes you will not even see them until the river has washed it away:

It takes time for the oil companies to respond when spills or leakage happen. Once there is spill, you will write, you will even video it, we will do everything to make sure. But sometimes they will clean it, sometimes they don't until river now wash it away [LC, AJA 9].

In reference to the views of the participant, I recalled when I was trying to collect the data for this study from the oil companies; they kept telling me endless stories. (for more details on this, refer to methodological limitations of the study in chapter four). The oil companies believe that responding to oil spills and other concerns of the stakeholders will consume a substantial part of their financial resources which could affect their profits and instead they delay or absolutely ignore community calls for a response to oil spills.

- ***Theme three – gas flaring***

The results on gas flaring emerged from interviews conducted with two categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that gas flaring from oil company operations impacts negatively on local communities. This is supported by data (secondary data) that the most insensitive aspect of the oil companies' operations is flaring of gas in the middle of the village, which affects wildlife and the ecosystem causing several discomforts and misery, particularly when the wind carries fumes, heat and combustion gases to communities (Umobong and Micah, 2013).

Similarly, a participant from one of the environmental agencies in Benin City provided detailed views on impact of gas flares in local communities of the Niger Delta:

So if you have been to any of those communities to spend a night there, you find that gas flaring is a major concern. You see light, is not a pleasant one, you see bright light when you are sleeping, you hear noise, one hiisy noise that you cannot, no matter how tick your words are, you will get it. You perceive smell, one nasty dry smell, in fact, the noise ah, no, no, the heat, the heat, the kind of dry heat not like you find in the North, ugly kind of heat that is really inconveniencing, heat. Then rain, when rain you know the way it falls, it comes, it comes in form of acid rain, their roofing sheets, you roof your house in six months, nine months, you have your leakages with rust. And then you plant crops, they don't do well because these pipelines are rightly into these communities [EA, 1.

Similar findings were obtained from a stakeholder in Gelegele community who said that, in his community, there is no difference between day and night because of the gas flare stationed at the heart of the community. To be candid, when I read in the literature that gas flares were stationed at the heart of some local communities in the Niger Delta I wondered how this could happen. I was surprised to then see a flow station located at the heart of Gelegele oil- and gas-producing community in Ovia North-East Local Government Area in Edo State, with very large gas flares. The flame of the gas flare in Gelegele is the brightest I saw throughout my visits to eight oil- and gas-producing communities in Edo State. In fact, when the flare is in operation, the sound, the heat and

the smell are terrible. I could not imagine everybody undressing in the daytime whether old or young – children, men and women walking around with their clothes off because of the heat from the gas flare. In chapter five, I described my experience in Gelegele community on my visit to Edo State when I was in haste to complete the interviews with participants just because of the extraordinary heat from the flow station (refer to chapter five for more details on the gas flare located at the heart of Gelegele community). However, the participant from Gelegele completed the story:

Without being told you have been there, you have seen things with your eyes Oga (the boss). There is a heavy gas flare stationed even at the heart of my community, Gelegele community, that even if you think in the afternoon is like in hell. At night, there is no day there is no night, the vibration like now if you are not close you will not hear what I am saying. That is what we are facing, we have ear problems, sometimes our old men when they cough they cough blood [LC, GLE 10].

6.2.1.3 Archival results on impact of oil company operations on the ecology of the local environment

This section presents the results on the impact of oil company operations on the ecology of the environment. The section is further organised as one cluster.

- **Cluster two: environmental issues in the Niger Delta**

The cluster contains six pre-designated themes. The themes include effects of oil exploration activities in the Niger Delta, causes of oil spills, effect of oil spills, responding to oil spills, gas flaring and water pollution. For better understanding of the results, the term environment refers to settings or geographical areas where oil companies carry out their operations. These operations include oil exploration and production activities.

- ***Theme four – effect of oil exploration activities in local communities***

The data on effects of oil exploration activities in local communities of the Niger Delta were obtained from media document analysis as discussed in 4.6.2 of the methodology

chapter. Oil exploration refers to the search for hydrocarbons (oil and gas) including geological surveys and drilling of petroleum products. The findings indicate that the oil exploration activities of oil companies have severely impacted on the ecology of the environment of local communities in the Niger Delta. This is supported by data obtained from ERA / FoEN (2012) that the oil exploration activities of oil companies in the Niger Delta pose challenges to the ecology of the environment:

The long-term effects and immediate impact on ecosystems, health, economy and political systems have been predicted. Already long-term dangerous impacts have been predicted, including sea-level rise, intense drought, severe tropical storms, and more frequent heat waves and heavy precipitation events.

- ***Theme five – responding to oil spills***

The data on responding to oil spills were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. For proper understanding of the theme: responding to oil spills refer to attempts by oil companies (the polluters) to embark on clean-up and remediation of environment. The findings indicate that oil companies do not swiftly respond when oil spills occur until they are compelled by the government or communities through violence to make cleaning up a reality. This is supported by data in the BusinessDay newspaper of 19th June, 2012, describing how Roman Orukali of the Kalaba community accused Agip of not responding to oil spills that occur from its pipeline:

It is a shame to have had the Agip facility (pipelines) in our community. We were thinking Agip would be a blessing to the community and with that mindset we embraced them very well but this has turned out to be a disappointment to us. I am saying so because when spills occurred like this, Agip hardly respond promptly to clamp the ruptured points and follow up with immediate clean-up and talk less of remediation and compensation for damages.

- ***Theme six – gas flaring***

The data on gas flaring were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. To throw more light on the theme, gas flaring refers to burning off gas found in association with oil in the course of oil-production activities. The findings indicate that gas flaring from the operations of the oil companies severely impacts on the ecology of the environment of local communities. This is confirmed by data indicating that the effects of gas flaring include aggravated asthma, increased respiratory symptoms like coughing and difficult or painful breathing, chronic bronchitis, decreased lung function and premature death, and that it pollutes and poisons water including fish ponds, streams, rivers and estuaries, causes acid rain and releases dangerous gases into the atmosphere, causes damage to people's health, impairment and death, and, furthermore, malnutrition can result from reduced crop production (William. 2012).

Comparable data were obtained from the World Bank report entitled 'Defining an Environmental Development Strategy for the Niger Delta in Nigeria: Travesty of Oil and Gas Wealth' (2006):

As far back as 1995, for example, it was estimated that as much as 76% of all natural gas from petroleum production in Nigeria is flared compared to 0.6% in the USA, 4.2% in the UK, and 21.0% in Libya. At temperatures of 1,300 to 1,400 degrees centigrade, gas flaring heats up everything, causes noise pollution, and produces dangerous gases that damage the ozone layer and contribute to global warming.

6.2.1.4 Stage summary

Findings from the website content analysis of environmental policies and practices of oil companies operating in the Niger Delta show that the oil companies have addressed some environmental challenges such as climate change, health and safety and the

environment, gas flaring, greenhouse emissions, biodiversity, water management, preventing spills, clean air, remediation, energy efficiency, ecosystem services, and fresh water management.

The interview results from all categories of participants indicate severe effects of oil company operations on the ecology of the local environment. Also, findings on gas flares from all categories of participants show severe negative impact of oil company operations on the ecology of the local environment. Participants explained that gas flares affect their health, and economic activities such as farming and fishing. Findings from participants also show that oil companies hardly respond to oil spills caused by their operations.

The archival findings from this section reflect incessant protest by the local communities and concerned stakeholders about the negative impacts of oil company operations on the ecology of the local environment. For example, all the archival data from the media document analysis indicate that oil exploration from oil company operations impact on the ecology of the local environment. Findings for gas flaring indicate a severe impact on the ecology of the environment ranging from cancer, liver problems and other health challenges to premature death of the locals.

Therefore, it cannot be concluded that the operations of oil companies do not impact negatively on local communities. Moreover, it can be deduced that there is a significant relationship between the findings on effects of oil exploration in local communities, causes of oil spills, effects of oil spills, responding to oil spills, gas flaring and water pollution and the overall impact of operations of oil companies' operations on the ecology of the local environment.

6.3 Stage two: the overall impact of oil company operations on employment / employment patterns in the Niger Delta

The objective of the stage two framework of the study is to guide the investigation to provide answers to the following research question discussed in section 2.5 of the literature review chapter:

- **What is the overall impact of oil company operations on employment and employment patterns in the Niger Delta?**

6.3.1 Results on the overall impact of oil company operations on employment and employment patterns in the Niger Delta

This section presents the results on overall impact of oil company operations on employment and employment patterns in the Niger Delta. It contains website results on employment policies and practices of oil companies, interview results on employment issues in the Niger Delta and archival results on employment issues in the Niger Delta.

6.3.1.1 Website results on employment policies and practices of oil companies in the Niger Delta

This section presents the results on employment policies and practices of oil companies in the Niger Delta. The themes identified consist of employment for local communities and equal opportunities for jobs. It is organised as one table shown in appendix D but explained below.

- **Employment policies and practices / relevance in the Niger Delta**

The results on employment policies and practices were obtained from website content analysis as discussed in 4.6.3 of the methodology chapter. The findings show clearly that the CSR and SD of oil companies in the Niger Delta include employment policies and practices with focus on employment for local communities and equal opportunities

for jobs. For example, some oil companies refer to inclusion of local communities in their policies as local content. The findings show that oil companies such as NPDC, the Pan Ocean Oil Corporation, Agip and Shell have their employment policies and practices blank on their website sections on employment, which means that the companies are not keen on employment of locals and do not care about equal opportunities for jobs. The findings also indicate that other oil companies such as DOCL, Chevron, TOTAL, Afren, Oriental Energy and Mobil clearly stipulate that their employment policies include equal opportunities for jobs without any discrimination. This is supported by data (secondary data) indicating that the CSR of MNCs, especially foreign direct investment (FDI), has enormous potential to generate employment, raise productivity, transfer skills and technology, enhance exports and contribute to the long-term economic development of developing countries (UNCTAD, 2003).

Now, the questions are: are the employment policies and practices of oil companies on the websites targeted towards the local communities and the stakeholders? Find below the responses of the local communities and stakeholders on employment policies and practices of oil companies operating in the Niger Delta.

6.3.1.2 Interview results on employment issues in the Niger Delta

This section presents the results of qualitative interviews to provide further information, and, in some cases, explanations for the results already presented in websites. The section is further organised as one cluster.

- **Cluster three: employment issues in the Niger Delta**

This cluster contains two pre-designated themes based on overall impact of oil company operations on employment and employment patterns in the Niger Delta. The themes include employment for local communities and equal opportunities for jobs.

- *Theme seven – employment for local communities*

The data on employment for local communities were derived from interviews conducted with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings from all participants indicate that only a few people were employed by oil companies. These few people are either on contract or casual or unskilled labourers. This is opposed by data (secondary data) on being able to have the right to seek employment on an equal basis with others (Cornelius, 2002; Cornelius and Gagnon, 2004; Cornelius and Skinner, 2005, 2007; Gagnon and Cornelius, 1999; Sen, 1985; 1985a; 1992, ch.4).

Similar results were obtained from a participant in the environmental agency who said that the local communities were only provided with unskilled jobs by oil companies: *Some of the unskilled jobs are done by locals [EA, 2].*

The participant in Ologbo oil- and gas-producing community confirmed that the oil companies only give them a few cleaning, security and gardener jobs. The participant was angry when he was talking to me and asked me to follow him to see youths without jobs. I did so and, very close to the market, I saw a number of unemployed youths in group sitted in front of their houses telling stories. The participant stopped and introduced me to one of the groups as a researcher and one of them said: *(Oga), you see how we are living in this community, tell them in your report about attitudes of oil companies towards our community for you to assist us to make some changes if possible; he added: Ummh, the only employment they give us is cleaner, security, maigade [security in Hausa language], that is all we have, no one in their management office. No one in their corporate headquarters, we only have cleaner and maigade [LC, OLO 11].*

- **Theme eight – equal opportunities for jobs**

The results on equal opportunities for jobs emerged from the five categories of participant discussed in 4.6.1 of the methodology chapter. The findings on the

participants from respective backgrounds were different. For example, the findings from one participant indicate that the oil companies do not provide equal opportunity at all. Findings from another participant indicate that they prioritise some communities more than others, especially communities where oil has just been discovered and they are yet to gain full access to the community. This is opposed by data (secondary data) on inequality along the lines of gender such as race, class and age among others, and having the right to seek employment on an equal basis with others (Cornelius, 2002; Cornelius & Gagnon, 2004; Cornelius and Skinner, 2005, 2007; Gagnon and Cornelius, 1999; Sen, Sen, 1985; 1985a; 1992, ch.4; Nussbaum, 2007:78–80).

The participant from Uwuo personally informed me during the interviews that the oil companies treated them well for now; it may be because they just arrived in their community and that is why they are treated equally. But, according to other communities where they have been for longer, very soon the newer communities will see the oil companies' true colours when they get settled.

Similarly, a participant from an NGO in Benin City provided his own side of the story: *Of course, there are some areas you can have that kind of experience where the oil companies tend to bring two heads to clash. That is what I can say in that area, favouring one community against the other [NGO, 1].*

6.3.1.3 Archival results on employment issues in the Niger Delta

This section presents archival results on employment issues in the Niger Delta. The section is structured as one cluster.

- **Cluster four: employment issues in the Niger Delta**

This cluster contains two pre-designated themes. These include employment for local communities and equal opportunities for jobs.

- *Theme nine – employment for local communities*

The results on employment for local communities were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. To avoid confusion, the term employment refers to agreement between the oil companies and citizens of Nigeria, especially the indigenes of local communities, regarding the provision of skills and abilities on the job to achieve corporate objectives. These include skilled, semi-skilled and unskilled jobs. The findings indicate that oil companies do not provide sufficient employment to indigenes of local communities in the Niger Delta. This is confirmed by The Guardian newspaper of 24th April, 2013, which states that the chairman for realations with oil and gas companies in Nengi community of Bayelsa State has complained against Shell and Agip for denying the community employment and compensation in spite of environmental damages done to the community: *Shell and Agip companies not only denied them employment but also compensation for the environmental despoliation being unleashed on their environment.*

- ***Theme ten – equal opportunities for jobs***

The data on equal opportunities for jobs were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. Equal opportunities for jobs refers to rights of the local communities to be fairly treated by oil companies without discrimination on the grounds of race, sex, age or community, among others. Findings indicate that local communities are frequently discriminated against by oil companies and the Nigerian government in terms of employment. This is supported in the Nigerian Observer of 7th March, 2006, on crises between the Ijaws and the Itsekiris of Delta State for discriminatory practice demonstrated by the Nigerian government on employment of indigenes of local communities:

The Ijaws and Itsekiris in Delta State were at each other's throats and they engaged themselves in battles to claim ownership of the oil communities since 1997. The Ijaws claimed that they have fourteen communities that make up a clan while the Itsekiris have five communities that make up a clan, but the Itsekiris seemed to be more

favoured by government when it has to do with employment of its youths.

6.3.1.4 Stage summary

The findings on employment from the website content analysis show that the CSR and SD of oil companies incorporate employment for the locals and equal opportunity for jobs. However, findings show that oil companies such as the Pan Ocean Oil Corporation, Agip and Shell have their employment policies and practices blank on their website sections on employment which means that the companies are not keen on employment of locals and do not care about equal opportunities for jobs. The findings also indicate that other oil companies such as NPDC, DOCL, Chevron, TOTAL, Oriental Energy and Mobil clearly stipulate that their employment policies include equal opportunities for jobs without any discrimination.

Findings on interviews from all categories of participants show that only a few people were employed by oil companies. The few people employed are either on contract, casual or unskilled such as labourers, cleaners, security workers and gardeners. On equal opportunity, findings from all categories of participants indicate that the oil companies do not provide equal opportunities at all. Findings from another participant indicate that they prioritise some communities more than others, especially communities where oil is just being discovered and the oil companies are yet to gain full access to the community.

The archival findings from the media document analysis were mixed. The first findings indicate that oil companies do not provide sufficient employment to indigenes of local communities in the Niger Delta and are discriminatory in employment practices.

6.4 Stage three: the overall impact of oil company operations on community life in the Niger Delta

The objective of stage three of the study framework was to guide the investigation to provide answers to the following research question discussed in the literature review chapter:

- **What is the overall impact of oil company operations on community life in the Niger Delta?**

To answer the preceding research question, I explored the results on ethical issues in the Niger Delta, social issues in the Niger Delta, legal issues in the Niger Delta, human rights issues in the Niger Delta and Ruggie's 2010/2011 framework.

6.4.1 Results on ethical issues in the Niger Delta

This section presents the website results on ethical policies and practices of oil companies in the Niger Delta, interview results on ethical issues and archival results on ethical issues in the Niger Delta. Thus, these results were presented based on the overall impact of oil company operations on community life in the Niger Delta.

6.4.1.1 Website results on ethical policies and practices of oil companies in the Niger Delta

This section presents the results on ethical policies and practices of oil companies in the Niger Delta. The themes include minimising the environmental impact of their operations on local communities (e.g pollution and HSE), respect for individuals, and support indicated for CSR and sustainability. The structure is further organised as a table in appendix D and explained below.

- **Ethical codes of conduct in the Niger Delta/ relevance in the Niger Delta**

The results on ethical policies and practices of oil companies operating in the Niger Delta were obtained from the website content analysis as discussed in 4.6.3 of the methodology chapter. The findings indicate that CSR and SD of oil companies in the Niger Delta address ethical issues such as minimising environmental impact of their operations on local communities (e.g. pollution and HSE), respect for individuals, and support for CSR and SD. This is supported by data (secondary data) that MNOCs in the Niger Delta must adopt codes of conduct and ethics in their operations for proper quality and stakeholder engagement (Cornelius et al., 2008).

However, findings also show that the ethical policies and practices of oil companies in the Niger Delta do not address payment of compensation, experience of local communities in payment of compensation, criminalisation of local communities and profit motives of oil companies. In spite of the fact that a lot needs to be addressed on ethical grounds, few of the numerous ethical issues attended to by the oil companies have resulted in oil companies having the confidence to display these on their website for public consumption. The public includes the local communities and the concerned stakeholders. Now, the consideration is: if the local communities and the concerned stakeholders are the target of the oil companies in the dissemination of their ethical policies and practices, it would be ideal to hear the voice of local communities and stakeholders on the effectiveness of ethical policies and practices of oil companies in the Niger Delta.

6.4.1.2 Interview results on ethical issues in the Niger Delta

This section presents the results of qualitative interviews to provide information and, in most cases, explanations for the results obtained from websites. The structure of the section is similar to the previous websites in 6.4.1.1. It is organised as a cluster.

- **Cluster five – ethical issues in the Niger Delta**

The cluster contains two pre-designated themes. The themes include payment of compensation to local communities.

- ***Theme eleven – payment of compensation to local communities***

The data on payment of compensation to local communities were obtained from interviews conducted with four categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that the oil companies do not pay compensation to local communities for loss or damages caused from their operations. All the participants revealed that it is often too difficult to deal with oil companies when it comes to payment of compensation. This is opposed by data (secondary data) on ethical responsibilities by Byrne (2014) and Cornelius et al. (2008) that ethical policy and ethical principles are the bedrock upon which CSR policy should be developed. They provided further explanations that ethical policy and mission should precede CSR policy, and that ethical policy is the key to building social responsibility capacity (Cornelius et al., 2008).

Similar results to the findings emerged from the participant from the environmental agency, who said that he has not heard from anybody that oil companies have compensated any local community for damages caused by their operations. He further averred that the only thing he is aware of is oil companies settling with a few individuals from the community to quash the issues. He stated:

Well, I am not aware of that, I am not aware, what am aware of, is often time they just engage the communities, settle some few persons, just get their way through. That's what it often seems like, even, like I said, the major red response is that operation of Shell in the Niger Delta that is still contentious till today no matter what they have done, it is not up to what will be enough to really reinstate or rehabilitate somebody whose environment has been distorted to a point that he no longer feels at home, is like a stranger to his home because everything is turned upside down.

You can't grow crops, you can't, you can't, you can't carry out any activity; spaces have been limited by virtue of the scope or the lands taken as a result of these oil operations. Wherever they have their rights of passage, the buffer zone created or added to them is such that will further push those indigenous away, and because they are always in this situation, the marginal land available to them is not able to take care of them. So, in terms of compensation, I will say that it is not always enough, yes. I hope you have been to those communities? [EA, 3].

6.4.1.3 Archival results on ethical issues in the Niger Delta

This section presents archival results on ethical issues in the Niger Delta. The structure is further organised as one cluster.

- **Cluster six: ethical issues in the Niger Delta**

This cluster on ethical issues contains five pre-designated themes. For proper comprehension: the construct of ethics refers to moral obligations and conducts of oil companies to do what is right and minimise what is wrong in their operations to enhance the well-being of the local communities, stakeholders and society at large. The themes include payment of compensation to local communities, tax evasion by oil companies, negative brand perception of oil companies, criminalisation of local communities and profit motives of oil companies. However, only payment of compensation, experiences of local communities in payment of compensation, criminalisation of communities and profit motives of oil companies will be analysed.

- ***Theme twelve – payment of compensation to local communities***

The data on payment of compensation to local communities were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. Compensation is the amount of money paid to communities by oil companies in recognition for loss or damages caused by their operations. The findings indicate that oil companies operating in the Niger Delta do not pay compensation to local communities for damages that

occur from their operations unless they are compelled to. This is supported in a ruling against Shell by a district court in the Netherlands contained in The Nation newspaper of 31st January, 2013, compelling Shell to pay compensation for damages caused by its pollution to Mr Akpan Friday from Ogoniland in the Niger Delta:

SPDC, Shell's Nigerian subsidiary, was partially responsible for a case of oil pollution in the Niger Delta and ordered it to pay damages. The District Court said SPDC must compensate one of the plaintiffs, Mr Friday Akpan. Four other claims filed the farmers by against the Dutch parent company for pollution in Goi, Ogoniland, both in Rivers State and Oruma in Bayelsa State, were however dismissed.

Similarly, Elder Inyang Ekong, the Secretary of the Artisan Fishermen Association of Nigeria stated in Compass News of 11th July, 2011, that several attempts made by the association to gain compensation by Mobil Oil Company failed: *Several entreaties by the fishermen and state government for the oil companies to pay them compensation had been ignored, and Mobil consistently showed insensitivity to their plight.*

- **Theme thirteen – criminalisation of local communities**

The data on criminalisation of local communities by the proposed Petroleum Industry Bill (PIB) in Nigeria were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. Criminalisation of local communities is the attribution of criminal tendencies to local communities. The findings indicate that accusation of criminality on local communities by oil companies and the Federal Government of Nigeria. This is because the relevant clause of the proposed PIB stated that the communities will bear the cost of environmental degradation in oilfields if a member of the community is discovered to be part of the sabotage. This is confirmed by data from ERA / FoEN in Compass Energy of 4th August, 2009, criticising the Federal Government of Nigeria for fuelling anti peoples' gap in the proposed PIB:

Anti-people' gaps in the Petroleum Industry Reform Bill (PIB) reform. According to the organisation, there were also very serious gaps with regards to community concerns especially with regard to the frequent abridgement of their rights.

Section 116–118 providing for Petroleum Host Communities Fund only scratches the issue, remains tokenistic and requires deepening.

For example, it is not acceptable that communities should bear the cost of environmental restoration following incidents (including civil unrest) in the oilfield simply because a member of the community contributed to the incidents. This sort of punishment criminalises communities and cannot be acceptable.

Section 294 (4) equally criminalises Local and State Government for acts perceived to have been caused by sabotage. With these tiers of government not controlling security agencies it is objectionable that they should be punished for security lapses that may result in sabotage.

- **Theme fourteen – profit motive of oil companies**

The data were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. The profit motive is seen as the economic concept used by oil companies in order to concentrate on making money more than on concern for stakeholders. The findings indicate that oil companies are keen on profit to the detriment of the environment where their operations are being carried out. The implication of the finding is that the profit motive is the key factor responsible for the unethical behaviours of oil companies in local communities of the Niger Delta. This is supported by data obtained from the Executive Director of ERA Reverend Nnimmo Bassey in The Reliance newspaper of 16th–31st December, 2011, asserting that oil companies have degraded the environment without concern for the inhabitants simply because of their strong focus on profit-making: *The oil firms were only interested in making profit to the detriment of the environment and people who live there.*

6.4.2 Results on social issues in the Niger Delta

This section presents the results on social issues in the Niger Delta based on overall impact of oil company operations on community life in the Niger Delta. The section contains website results on social policies and practices of oil companies in the Niger Delta, and interview results and archival results on social issues in the Niger Delta.

6.4.2.1 Website results on social policies and practices of oil companies in the Niger Delta

Throughout the research on oil companies' websites, there were no results on social policies and practices of oil companies. This is an indication that oil companies are not keen on social issues, the implication being that the CSR and SD policies of oil companies do not address the social challenges of local communities and stakeholders at large.

6.4.2.2 Interview results on social issues in the Niger Delta

This section presents the results of qualitative interviews to provide further information, and, in some cases, explanations for the results already obtained from the websites. The section is organised as one cluster.

- **Cluster seven – social issues in the Niger Delta**

This cluster contains three pre-designated themes. The themes include marginalisation of local communities, neglect of local communities and brutality and intimidation of local communities.

- *Theme fifteen – marginalisation of local communities*

The data on marginalisation of local communities in the Niger Delta were obtained from two categories of participants as discussed in 4.6.1 of the methodology chapter. The findings from the participants indicate that the local communities have been marginalised by oil companies and the Nigerian government. This is opposed to data in

section 4.2.6.1 of the methodology chapter (secondary data) on the subaltern by the Italian communist intellectual and Marxist political activist Antonio Gramsci's (1891–1937, 1971) work on cultural hegemony with an emphasis on social groups excluded from a society's established structures for political representation, and the means by which people have a voice in their society. Other supporters of this perspective include Chakrabarty, Chatterjee and Guha (1982), Spivak (1988), Said (2007), Hall (2007), Shahadah (2007), Cornelius (2000), Cornelius et al. (2008), and Cornelius and Wallace (2011). It is, also, opposed by Sen (1985; 1999), Majumdar and Subramanian (2001) and Nussbaum (2007:78–80) on the issue of being able to participate effectively in political choices that govern one's life: having the rights of political participation, free speech and freedom of association.

Similar views were obtained from an indigene of Ajamimogha oil- and gas-producing community of Edo State, to the effect that their community has been marginalised by the NPDC. He said when oil was discovered there were agreements between their community and NPDC on equal distribution of benefits to communities. But after gaining proper entrance into the community, the oil company decided to turn things upside down by marginalising it, especially in terms of the number of casual jobs offered to their community:

Exactly, this is the problem we have, they are marginalising us. When we have oil in this place, when oil has been discovered, there was problem. You know where you discovered oil, you have problem. So we went to Olu's place [Chief's place], the judgement there said anything that is to be shared here should be evenly distributed. But what we are seeing, NPDC is marginalising us. If there is some casual jobs whereby they give 20 to our neighbouring community. This is what they are doing, we don't have anything, we are suffering here [LC, AJA 12].

- ***Theme sixteen – neglect of local communities***

The data on neglect of local communities were obtained from two categories of participants as discussed in 4.6.1 of the methodology chapter. The findings from

participants clearly indicate that the local communities were neglected by both the oil companies and the Nigerian government. This is opposed by data (secondary data) in Sen's pluralistic paradigm on care for general well-being and opportunity for a full life (Streeten in Haq, 1995:6; Streeten et al., 1981; Stewart and Deneulin, 2002). This is also opposed in Nussbaum's (2007:78–80) work on affiliation and being able to recognise and show concern for other human beings and to be treated as a dignified being whose worth is equal to that of others.

Similar findings were obtained from the representative of the Nigerian government in the oil and gas sector, who provided his opinion on neglect of local communities in the Niger Delta:

If you go to some of these communities, just see a wide well banned, they will be locked up on these wells, they will barricade it, you can't even go in, movement is restricted, livelihoods of the people in these areas are affected. So the MNOCs have not given back sufficiently to the various oil-bearing communities in the Niger Delta. That is why you have these agitations, you have restiveness in the area, it is a feeling of neglect, it is a feeling of pain, a feeling of these things that God has given us right in our own soil. Some people will just come and explore the whole thing at the end and we have nothing to show for it [GR, MOG 2].

- **Theme seventeen – brutality and intimidation of local communities**

The results on brutality and intimidation of local communities were obtained from two categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that local communities in the Niger Delta were subjected to sheer wickedness by oil companies operating in the Niger Delta. This is opposed by data (secondary data) on tyranny and oppression and affiliation of being able to recognise and show concern for other human beings (Sen, 1985, 1985a, 1992, ch.4; Nussbaum, 2007:97–80).

Similar findings were obtained from a participant in Ajamimogha, who said that on one occasion the NPDC brought some military staff to brutalise and intimidate their community members to confess the cause of oil leakages in their community:

The spill that happened in Ajoki because of carelessness of oil company, because that is their dumping site, the thing overflow and flow into creek. They brought army beating up people that they must confess who went and did that spill. We told them it was due to rainfall that led to the overflow that thing.[LC, AJA 13].

Comparable views were obtained from an indigene of Oben oil- and gas-producing community of Edo State who said that the attitudes of the oil company towards the community created conflicts that led to permanent location of army barracks within his community to protect the oil company (formerly Shell and now Seplat) and their facilities. On my way to the flow station and gas plants, I saw some soldiers on ground patrol near the oilfields who were fully armed. The Oben oilfields are more than 20 km in length and breadth with pipelines connecting the oilfields to the flow station and gas plants. So you find ‘danger zone’ written all over the place. The participant elaborated that Shell offered a bus as CSR to the community to minimise their conflicts and to enhance its continued exploitation of the community. The participant also mentioned that the bus offered by Shell didn’t end their conflicts because the community was not consulted prior to the decision and it was not what the community needed. He concurred that the community was informed that any attempt to protest or resist the unethical practices of the oil company would land them in trouble with the military:

We have living camps here oh, we have gas plant here oh, there, we have big facilities here oh, we have soldiers, we have army barracks here in this community. They say if we talk, they will use soldiers to track us down LC, OBN 14.

Below is the photograph of the bus offered to the Oben community by Shell.



Figure 13: Bus offered to the Oben community by Shell

Source: Ndajiya (2013)

Similar views were obtained from a participant in Gelegele oil- and gas-producing community to the effect that the Dubri Oil Company, operating in his community, on several occasions used law enforcement agencies to intimidate them in order to protect their flow station. *They don't listen, they don't listen, and they use law enforcement agencies because they are the ones that are in flow stations to intimidate us, they are JTF [Joint Task Force].*

I recalled that, during my visits to four flow stations, I observed that the flow stations were staffed by Nigerian soldiers who were fully armed. For example, in Ologbo and Imasibo oil- and gas-producing communities, soldiers were heavily scattered across the

communities with patrol vehicles mounted heavily with sirens patrolling in the community to create fear or intimidate the community.

Please refer to chapter five on my visit to Edo State for more details.

6.4.2.3 Archival results on social issues in the Niger Delta

This section presents archival results on social issues in the Niger Delta. The structure is further organised as a cluster.

- **Cluster eight – social issues in the Niger Delta**

The cluster contains four pre-designated themes. The themes include marginalisation of local communities, deprivation of local communities, brutality and intimidation and war and insecurity. For proper understanding, the term social issues refers to the perception of society about lives of people residing in local communities of the Niger Delta.

- ***Theme eighteen – marginalisation of local communities***

The data on marginalisation of local communities were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. Marginalisation, also known as social exclusion, is the result of impact of discrimination. It is a process by which the local communities are excluded from meaningful participation in the control of their resources. The findings indicate that the local communities in the Niger Delta were not only marginalised but deprived of their livelihood and fundamental rights by oil companies operating in the Niger Delta. This is underpinned by data obtained from the Nigerian Observer of 30th January, 2013 that the representative of Itsekiri oil- and gas-producing communities in Edo State called on State Governor Comrade Adams Oshiomhole to address the challenges of marginalisation faced by the local communities:

He said in spite of the enormous natural resources from their communities, coupled with the huge economic reveal, they are being marginalised,

oppressed and deprived of all forms of development, since the inception by the government of Edo State till date.

- ***Theme nineteen – neglect of local communities***

The results on neglect of local communities were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. Neglect of local communities, therefore, is deliberate failure by oil companies to properly care for their host communities. Findings indicate that oil companies in the Niger Delta were insensitive to concerns of local communities. This is supported by data obtained from an elder and representative of Orogho community in Orhiomwon Local Government Area of Edo State; in *The Guardian* newspaper of 8th October, 2012, Elder Okpamen expressed dissatisfaction that their communities had been neglected and noted *our sincere and genuine desire to see sanity, peace and order remain undisturbed in these long-neglected oil-rich communities in Orhiomwon Local Government Council Area of Edo State.*

- ***Theme twenty – deprivation of local communities***

The data on deprivation of local communities were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. Deprivation is the deliberate denial of access by local communities to the basic necessities of life such as food, water and health among other things. Findings indicate that local communities have been deprived of access to the basic necessities of life in the Niger Delta. This is confirmed by data obtained from the Nigerian Observer of 8th March, 2006, about grievances of local communities in the Niger Delta on deprivation by both the oil companies and the Nigerian government:

Tragic realities of pain, a loud testimony of neglect and deprivation, a vivid picture of suffering, a consummated bond of want and squalor, a convergence of a people desirous of practicable environmental bliss, the

naked reality of a people groaning under the weight of an insensitive government.

- ***Theme twenty-one – brutality and intimidation of oil communities***

The results on brutality and intimidation of local communities were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. Brutality refers to deliberate wickedness, harsh and violent activities of oil companies in local communities of the Niger Delta. Intimidation is the coercive threat of local communities by oil companies in the Niger Delta. The findings indicate that oil companies were found to be using the Nigerian security forces to brutalise and intimidate the local communities. This is supported by data obtained from the Nigerian Observer of 7th March, 2006, where the oil communities in Delta State accused oil companies of using the military to intimidate them when they protest for their portion of oil proceeds from the oil companies. The story goes as follows:

The oil communities in Delta State accused oil companies of using the military to intimidate them when they agitate for their fair share of the proceeds from the oil that passes under their houses to other part of the country. The accusation against the military that they used bombs to destroy their communities while in search of bunkers was the last straw that broke the camel's back, when it was discovered that it was the militants' barracks that were hit.

Similar data were obtained from the Daily Independent of 20th February, 2013, on brutality of Odi local community which justice Akanbi qualified as brutish and gross violation of human rights: *Justice Akanbi described the action of the military in Odi Community of Bayelsa State as genocidal, reckless, brutish and a gross violation of rights of victims to life and to own property.*

- ***Theme twenty-two – war and insecurity in the Niger Delta***

The data for war and insecurity in the Niger Delta were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. War refers to physical

combat and / or armed conflict between the local communities and oil companies operating in the Niger Delta. Insecurity is the exposure of local communities to danger and / or threat in the Niger Delta. The findings indicate that communities were exposed to incessant wars between the local communities and oil companies, and wars among communities caused by oil companies. This is supported by data obtained from the Nigerian Observer of 7th March, 2006, that the Niger Delta has been transformed into a theatre of wars between communities, and between communities and oil companies. At times, the war is between the communities and the government. Above explanation of the state of war and insecurity in the Niger Delta is given below:

More worrisome is the fact that the Niger Delta has been transformed into a theatre of war, it is a world of pain, environmental degradation, insecurity, bloodbath, injury and death such that while the killing progresses the drilling continues. The government and MNOCs have transformed the situation in the Niger Delta into a generational environmental degradation and human waste, turning our blessing to a curse and making the oil an albatross: time shall tell.

6.4.3 Results on legal issues in the Niger Delta

This section presents the results on legal issues in the Niger Delta based on overall impact of oil company operations in the Niger Delta. It contains website results on legal policies and practices of oil companies in the Niger Delta, and interview results and archival results on legal issues in the Niger Delta.

6.4.3.1 Website results on legal policies and practices of oil companies in the Niger Delta

This section presents the results on legal policies and practices of oil companies operating in the Niger Delta. The structure is organised as a table shown in appendix D but explained below.

- *Legal policies in the Niger Delta / relevance in the Niger Delta*

The results on legal policies and practices of oil companies operating in the Niger Delta were obtained from website content analysis as discussed in 4.6.3 of the methodology chapter. The findings indicate that all the oil companies except Pan Ocean and Oriental Energy Resources indicate compliance with the international regulations and host country's regulatory frameworks including local law.

The findings also indicate that the CSR and SD of oil companies in the Niger Delta include legal policies and practices, which implies that the oil companies address legal challenges and strictly abide by the law. The findings also imply that, because the oil companies comply with the legal provisions, they are confident to convey their policies and practices to the stakeholders and local communities on their websites. If this is true, ideally we should confirm the effectiveness of the legal policies and practices of oil companies from the stakeholders and local communities in the Niger Delta.

6.4.3.2 Interview results on legal issues in the Niger Delta

This section presents the results of qualitative interviews in order to provide information, and in some cases explanations, for the results already presented in archival documents and websites of oil companies. The structure of this section is similar to the previous section in archival results. The section is organised as one cluster.

- **Cluster nine: legal issues in the Niger Delta**

The cluster contains one pre-designated theme. The theme includes holding oil companies accountable.

- ***Theme twenty-three – holding oil companies accountable***

The results on holding oil companies accountable were obtained from four categories of participants discussed in 4.6.1 of methodology chapter. The findings indicate that the Nigerian government is yet to hold oil companies accountable for their unethical

practices in local communities of the Niger Delta. This is supported by data (secondary data) on relationship of business with government by Bowen (1953:6), indicating that corporations maintain relationships with government:

To influence public policy toward the interests of business, the preservation of the free-enterprise system, opposing policies of control or restriction on business, and supporting policies of freedom, to aid business and trying to get specific advantages for particular businesses and particular industries.

Similar views were obtained from the participant from the environmental agency on why it has been very difficult for the Nigerian government to hold oil companies responsible:

They do, they do, but then again, I feel it is not enough, I believe it is not enough. But as a nation that is undergoing so many kinds of eh, so many kinds of developmental problems, it's difficult in fact, I wonder how a president will be able to cope. Oil sector is one of the problems facing this nation, to that extent, am considering what has happened to public service over the year. The right regulators who are suppose to be existing in government ministries, departments and agencies are not there, they are actually not there. The manpower is not there, the funds, the equipment, the skills, the whatever, that is required to enable government to play the role the more is grossly inadequate. The result is that I feel that government is not able to contain the problems that are associated with oil spillage with a view to holding these companies very much accountable, and that will take a while. They will have influence over the court. So at times we leave everything like that [EA, 4].

6.4.3.3. Archival results on legal issues in the Niger Delta

This section presents the archival results on legal issues in the Niger Delta. The section is organised as one cluster.

- **Cluster ten: legal issues in the Niger Delta**

The cluster contains one pre-designated theme. 'Legal issues' refers to matters that concern conformity to the established rules and regulations guiding a particular country.

The theme includes holding oil companies accountable.

- ***Theme twenty-four: holding oil companies accountable***

The data on holding oil companies accountable emerged from the media document analysis as discussed in 4.6.2 of the methodology chapter. The term ‘holding oil companies accountable’ refers to the obligation of Nigeria’s government to hold oil companies responsible or liable for their crimes committed in the local communities of the Niger Delta. These include environmental degradation, pollution of water, air and land, conflicts and poverty among others. The findings indicate that oil companies in the Niger Delta are yet to be accountable for the sins committed in local communities. This is supported by data obtained from Compass Business, 28th March, 2012, quoting ERA Director Oluwafemi on the need to hold oil companies accountable:

The nation needs a holistic review of its environment laws as well as a holistic re-energising of the enforcement mechanism. He said existing regulations are not only weak, they are poor and badly implemented. A system where the government agencies that are supposed to punish oil corporations will have to rely on their helicopters to fly to places of infringement has compromised the integrity of such agencies, that is exactly what we are saying should be addressed.

6.4.4 Results on human rights issues in the Niger Delta

This section presents the results on human rights issues in the Niger Delta based on overall impact of oil company operations on community life in the Niger Delta. The structure includes website results on human rights policies and practices in the Niger Delta, interview results and archival results on human rights issues in the Niger Delta.

6.4.4.1 Website results on human rights policies and practices of oil companies in the Niger Delta

This section presents the results on human rights policies and practices of oil companies operating in the Niger Delta. The themes identified were similar to the themes in the interviews and archival results. The contents of this section are organised as a table in appendix D but explained below.

- **Human rights in the Niger Delta / relevance in the Niger Delta**

The data on human rights policies and practices of oil companies in the Niger Delta were obtained from website content analysis as discussed in 4.6.3 of the methodology chapter. The findings indicate that some of the oil companies are committed to human rights compliance. For the IOCs, only Afren Global Resources provided for human rights policies and practices in its website. Others such as NPDC, DOCL, POOCN and Oriental Energy Resources were silent about human rights issues. Among the MNOCs, Shell was silent about human rights. Agip, Mobil and TOTAL were not silent, but their human rights policies and practices indicate compliance with the 1947 Declaration of Human Rights. This is opposed to data (secondary data) indicating that MNOCs affect the host country's inhabitants and their human rights especially in developing countries since their countries of origin assume no responsibility. Low wages, bad working conditions, unfair hours, and lack of job security are some of the results on activities of MNOCs (Nazi, 2011).

Chevron demonstrated comprehensive human rights policies and practices, which, according to the company, address challenges concerning:

- Employees
- Security
- Communities and
- Suppliers

In view of the above, it can be deduced that the CSR and SD of oil companies in the Niger Delta address the challenges of human rights to a degree. Also because of the commitment of oil companies to human rights compliance, they were also able to display these policies and practices on websites to communicate with the stakeholders and local communities. If this is true, then, it is better that we hear from the stakeholders

and local communities how the human rights policies and practices of oil companies impact on them.

6.4.4.2 Interview results on human rights issues in the Niger Delta

This section presents the results of qualitative interviews to provide further information, and in some cases explanations, to answer the research question. The section is similar to previous sections of the archival results. It is organised as one cluster with multiple themes.

- **Cluster eleven: human rights issues in the Niger Delta**

This cluster contains five pre-designated themes. The themes include farming and fishing, movement in local communities, conflicts among local communities, conflicts between local communities and oil companies, and poverty alleviation in local communities.

- ***Theme twenty-five – farming and fishing***

The results on farming and fishing were obtained from interviews conducted with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that human rights are held at bay in the Niger Delta, and local communities have been grossly abused and deprived of their economic activities in the localities. This is opposed by data (secondary data) on basic capabilities and grounds for moral concern on issues such as being adequately nourished (Nussbaum, 2007:78–80; 2000:84–86) and Sen’s economic growth (Sen, 1985, 1999; Majundar and Subramanian, 2001).

Similarly, a participant from the Ughotan oil- and gas-producing community of Edo State remarked that their crops were not doing well due to pollution and gas flaring. The participant stated during the interviews that not only were their crops not thriving, but the human beings residing in local communities weren’t, either. He cited an instance of oil leakage that occurred as a result of operational failure of a valve in one of the oil

wells operated by Dubri Oil Company Limited in his community; when the leakage occurred, the entire community became refugees because they had to relocate to another area for almost a week for fear of fire resulting from the leakage, until the valve was replaced. I asked the participant: did the oil company offer anything to the community in the way of relief materials? He replied that what was offered to them was small compared to the displacement of people and property from the community for that period, and he maintained:

Yeah, we engage in fishing, we engage in farming. Because we have rivers and we have lands, so we do both fishing and farming. Our women and men, they engage in fishing and farming. Eh, because of exploration of oil, the fishing activities is decreasing, and even the farming activities is decreasing because of the flaring activities. Because of the oil exploration, the mineral resources that the soil has is a kind of drying off. So that one, crops are not doing well, and the fishing activities and the spillage from petroleum products. So we find out that crude oil most especially got that, the fishing activities decreases. Sometimes you find out that some fishes do die as a result of some spillage of crude oil [LC, UGH 15].

Based on findings from the participants, I observed during the fieldwork in all the oil- and gas-producing communities that I visited (eight of the communities) that I could not find any sign of farming in those communities. It got to the stage where I had to ask a participant in Ajoki after the departure of the fisherman and fisherwoman he called to testify the quantity of fish that were previously and recently caught in their rivers that throughout my visits of oil communities, I could not find any farmland. He replied by asking if I thought the vast arable lands were just left unfarmed for nothing? He said: *Right here where I am standing with you there are pipelines that pass through to the flow station [LC, AJO 16].*

- ***Theme twenty-six – movement in local communities***

The results on movement in local communities were obtained from interviews conducted with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that the local communities have been denied access to

freedom of movement in local communities of the Niger Delta as a result of operations of oil companies in the communities. This is opposed by data (secondary data) on human rights and human security (Sen, 1985, 1999; Majundar and Subramanian, 2001) and bodily integrity of being able to move freely from place to place (Nussbaum, 2007:78–80).

Similar views were obtained from a participant in the Gelegele community during the interviews, who contended that, in his community, explosions from the gas flaring from the flow station located at the heart of the community often restrict their movement. He stated that the vibrations affect their community members in various ways such as ear problems, premature deaths, heart attacks and cancer, and that is further reason for the warning that they should avoid movement in the direction of the source. He further stated that:

Eh, yes, yes, yes. Do you know why I say so? Because there are times this flare when it explodes, sometimes the sound, the vibration on the ground, people will be afraid. So because of that, in the night, so many of us, we don't have to go out because you don't know next what will happen. And if you can see, when you go close to the flare, you find out that the vibration is more, you get the feel of the vibration. That is why you find our houses they get cracked, and because of that, children are afraid not to go out. People sometimes in fishing environment have to relax because even if you go there, you don't know what will happen the next minute, because sometimes something does explode [LC, GLE 17].

- ***Theme twenty-seven – conflicts between local communities***

The results on conflicts between local communities were obtained from interviews conducted with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings from the participants show that there are three major causes of conflicts between local communities. First, claim of ownership of oil wells. Second is the process of sharing the benefits from oil, if any. Third, the oil companies use divide and rule tactics to cause confusion between the local communities. Fourth is the issue of change in community leadership. This is opposed by data (secondary data) on bodily

integrity – being secure against violent assault and conflicts, with personal well-being intact (Sen, 1985, 1985a, 1992, ch.4; Nussbaum, 2007:87–80).

Similarly, the participant from the Ughotan oil- and gas-producing community explained that the attitude of oil companies, using divide and rule and thereby working with some sets of people at the detriment of the wider community, is a major concern and it causes conflict between community members:

Eh, you know in a place, in a community, sometimes, because of the attitude of the company towards the community there are bound to be conflicts within us. Because there is this divide and rule that this company used. They will want to work with some set of persons to the detriment of the entire community. That is why we fight, sometimes it happens [LC, UGH 18].

- ***Theme twenty-eight – conflicts between the local communities and oil companies***

The results on conflicts between the local communities and oil companies were obtained from interviews conducted with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that conflicts between the local communities and oil companies occur on daily basis. This is opposed by data (secondary data) on bodily integrity – being secure against violent assault and conflicts, with personal well-being intact (Sen, 1985, 1985a, 1992, ch.4; Nussbaum, 2007:87–80). Similar views were obtained during the interviews from a participant from the development agency who said that one of the causes of conflicts between the local communities and oil companies is the issue of compensation. He averred that, in most cases, oil companies promise the locals that they will pay compensation after gaining access to the communities, but do not do so, a failure which results in confrontation between the oil companies and local communities. He proceeded to state that:

That is a daily occurrence, because the communities per se, they all know what is going on now. So when you come into the communities or to their land that you want to drill oil, they always ask for compensation whereby the oil companies are not providing that compensation, it could always result in a kind of conflict [DE, 2].

- ***Theme twenty-nine – poverty in local communities***

The results on poverty in local communities were obtained from interviews conducted with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that oil companies do not sufficiently alleviate poverty caused by their operations in local communities of the Niger Delta. This is opposed by data (secondary data) in the capability approach (CA) on poverty and well-being (Sen, 1993:31–2, 40–42; Balestrino, 1996; Chiapper Martineti, 1994, 1996, 2000; Clark and Qizilbash, 2002, 2005; Klasen, 1997, 2000; Majundar and Subramanian, 2001; Sen, 1992; 1999).

Similar views were obtained from a participant in Ajoki oil- and gas-producing community, who said that the community had for a long time requested the oil company operating in its locality (NPDC) to help to organise skills acquisition programmes for the youths, but, until now, nothing had been done by the oil company:

Ummh, they don't, they don't. We initiated some, and up till now, they have not done them. We initiated training of some of our boys, giving them something to do on skills acquisition, up till now; they've not been able to go with the operation properly, so they don't [LC, AJO 19].

6.4.4.3 Archival results on human rights issues in the Niger Delta

This section presents archival data on human rights based on overall impact of oil company operations on community life. Human rights are the fundamental standards for identifying and measuring inequality and fairness, and those rights relate to the Universal Declaration of Human Rights (AHRC, 1986). The section is organised as one cluster.

- **Cluster twelve – human rights issues in the Niger Delta**

The cluster contains five pre-designated themes. The themes include farming and fishing, movement in local communities, conflicts among local communities, conflicts between local communities and oil companies, and poverty in local communities.

- ***Theme thirty – farming and fishing***

The data on farming and fishing were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. Farming is mainly concerned with the growing and raising of livestock, while fishing is concerned with catching fish for consumption, sale or sport. Findings indicate that the operation of oil companies in the Niger Delta affects farming and fishing as a result of pollution, oil spills and gas flares among other factors. This is supported by data obtained in Punch newspaper of 22nd January, 2011, which indicates that the people of Okpotuwari and Ondowari of Bayelsa State raised their voices to assert that the facility of the Nigeria Agip Oil Company spread crude oil into their farmlands and rivers, killing fish:

The people of Okpotuwari and Ondowari communities in Southern Ijaw Area of Bayelsa State are in misery because of spewed crude oil from a facility belonging to Nigeria Agip Oil Company. Lamentations have enveloped the peasant settlements which depend largely on the gift of nature for their survival. The communities watched helplessly as a large quantity of crude oil gushed unceasingly into their environment. The crude oil poured endlessly and kept spreading to farmlands and streams. Crops were damaged, soil nutrients died and rivers were polluted leading to death of fish.

- ***Theme thirty-one – movement in local communities***

Throughout archival data collection, there were no data on movement in local communities in the Niger Delta.

- ***Theme thirty-two – conflicts between the local communities***

The results on conflicts between local communities were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. The construct of

conflict refers to strong disagreement between the local communities, and disagreement between local communities and oil companies. These may include struggle for power, resource control, or participation by local communities in affairs of their communities. The findings indicate that the causes of conflicts between the local communities are as a result of instigation by oil companies and claim for ownership of oil wells. This is supported by data obtained from the Vanguard newspaper of 22nd November, 2012, which indicates that the chairman of the Odimodi community of Delta State informed the State Security Council of the cause of conflict between communities by Nigerian Agip Oil Company over oil spillage from its flow line:

In Warri, Odimodi community in Burutu Local Government Area of Delta State has alerted Delta State Security Council (DSSC) of imminent threat to the peace between the community and ogulagha in the state, allegedly instigated by an oil company and other interested parties. In a letter dated 9th November, addressed to the Chairman of Odimodi community, Chief Sunny Gbeya, said Nigerian Agip Oil Company (NAOC) was causing unnecessary conflict between the two communities over the recent oil spillage from its Beniboye flow line. He said the oil company was by its action working against the resolutions of Delta State House of Assembly and Delta State Security Services reached in 2004 and 2007 in respect of NAOC's oil spill at Beniboye and peace accord brokered 10 years ago between the communities by elder statesman and Ijaw leader, Chief Edwin Clark.

- ***Theme thirty-three – conflicts between local communities and oil companies***

The data on conflicts between local communities and oil companies were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. The first findings indicate that the cause of conflict between the local communities and an oil company resulted from collaboration between the oil company and some elders in one of the communities. The second finding indicates that lack of sustainable development in local communities by oil companies in recent decades has provoked the communities to issue notice to the oil companies to quit from their communities. The findings were supported by data obtained from The Guardian of 8th October, 2012, on conflicts

between Obagie-Nunuamen and Orogho communities caused by an oil company. According to The Guardian newspaper, the locals posit that the conflicts between them were as result of collaboration between the oil company and some elders in Orogho to claim the ownership of an oil well:

Alwansedo reacted in conflict between his community (Obagie-Nunuamen) and Orogho, and accused an oil company operating in the area of collaborating with some elders and chiefs from Orogho to claim the oil well which according to him belong to Obagie community.

- **Theme thirty-four – poverty in local communities**

The data on poverty in local communities emerged from the media document analysis as discussed in 4.6.2 of the methodology chapter. Poverty refers to deficiency in socially acceptable resources. The resources could be financial or material resources. The findings indicate that there is abject poverty in local communities of the Niger Delta caused by operations of oil companies in the region. This is confirmed by data obtained from the Daily Trust newspaper of 4th August, 2011, on impacts of poverty in the Niger Delta, in which Amnesty International's Audrey Gaughram and Aster van Kretch explicated oil companies' exploitative and unethical behaviour that results in poverty for local communities in the Niger Delta:

Amnesty exposed how the poorest people are often to be the most likely to be exploited by the MNOCs, and to be pushed deeper into poverty. The Amnesty International experts (Audrey Gaughram and Aster van Kretch) discuss the human rights issues related to oil extraction in the Niger Delta.

6.4.5 Results on compliance with Ruggie's (2010/2011) frameworks

This section presents the results on compliance with Ruggie's frameworks by oil companies and the Nigerian government in the Niger Delta based on overall impact of oil company operations on community life in the Niger Delta. The section is organised according to website results on Ruggie's policies and practices of oil companies in the

Niger Delta, interview results on Ruggie's frameworks in the Niger Delta, and archival results on compliance with Ruggie's frameworks.

6.4.5.1 Website results on Ruggie's (2010/2011) frameworks of oil companies' policies and practices in the Niger Delta

This section presents the results on Ruggie's frameworks of oil companies' policies and practices in the Niger Delta. The contents of this section are organised as a table in appendix D but are explained below.

- **Ruggie's (2010/2011) frameworks in the Niger Delta / relevance in the Niger Delta**

The results on Ruggie's frameworks were obtained from the website content analysis discussed in 4.6.3 of the methodology chapter. The findings indicate that the oil companies operating in the Niger Delta, with the exception of Agip, are not aware of Ruggie's frameworks and therefore do not comply with the frameworks. This is for the following reasons.

First, in the website content analysis above, the IOCs (NPDC, DOCL, POOC and Afren Global Energy Resources) and the MNOCs (SPDC, Chevron, TOTAL and Mobil), with the exception of Agip, have generically declared compliance with human rights without specifically indicating their allegiance to Ruggie's frameworks by clearly stating, as in the case of Agip, that:

The approval of the Guiding Principles in 2011, in particular, represents an unprecedented achievement, since it marks an important point of convergence between Countries, businesses, civil society and international organizations, concerning the responsibilities of States and business with regard to human rights.

Second, the exclusion of Ruggie's frameworks from the content of their websites indicate that the CSR and SD policies and practices of oil companies operating in the Niger Delta do not address the clauses reflected in the frameworks.

Finally, the exclusion of Ruggie's frameworks by oil companies operating in the Niger Delta was marked and denoted with (x) against the companies concerned, with the exception of Agip which demonstrated clear allegiance.

Even though it is clearly confirmed that the CSR and SD policies and practices of oil companies in the Niger Delta exclude Ruggie's frameworks, it will be helpful to hear from the stakeholders and a participant from one of the development agencies that directly collaborate with the UN for developments in Edo State.

6.4.5.2 Interview results on compliance with Ruggie's (2010/2011) frameworks

This section presents the results of qualitative interviews conducted with two categories of participants as discussed in 4.6.1 of the methodology chapter. The section is organised as one cluster.

- **Cluster thirteen: compliance with Ruggie's (2010–2011) frameworks**

The cluster contains three pre-designated themes. The themes include the principle of state duty to protect against human rights abuses by third parties including business, and the principle of corporate responsibility to respect human rights, avoid harm and comply with laws and existing social expectations to gain the licence to operate, and the need for more effective access to remedies for victims of human rights abuses involving companies.

- *Theme thirty-five – principle of state duty to protect against human rights abuses by third parties including business*

The results on principle of state duty to protect against human rights abuse by third parties including companies were obtained from interviews conducted with a category of participants discussed in 4.6.1 of the methodology chapter. The findings indicate that the Nigerian government may be deemed greedy and does not sufficiently protect citizens from the unethical practices of oil companies in the local communities of the Niger Delta. This is opposed by data (secondary data) in CA on human rights and

human security, rights and duties (Sen, 1985, 1985a, 1992, ch.4; Nussbaum, 2001a: ch.1).

Similar to the findings were the views obtained from the participant from the development agency who indicated that the protection of rights of citizens by the Nigerian government had for a long time been sacrificed to the oil companies because of desire to acquire more revenue from the oil companies:

Well, yes, to some extent yes. But in another form, they are not doing enough to protect the people of the local communities. You know, government think of what they will benefit not what people will benefit. Their own interest is self-interest not the interest of the local communities. But to some extent sometimes they are been pushed to support the local communities to make sure that human rights take effect [DE, 3].

- ***Theme thirty-six – principle of corporate responsibility to respect human rights, avoid harm, and comply with laws and existing social expectations to gain the licence to operate.***

The results were obtained from interviews conducted with three categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that the oil companies in the Niger do not respect human rights of the local communities nor avoid harming the communities nor comply with federal, state or local laws, and some of the oil companies are not even aware of the frameworks. This is opposed by data (secondary data) in CA on human rights and human security, rights and duties (Sen, 1985, 1985a, 1992, ch.4; Nussbaum, 2001a: ch.1).

Comparable views supporting the findings were obtained from the director of an NGO who said that oil companies in the Niger Delta don't respect human rights and he believes that some of the oil companies have not even heard of Ruggie's frameworks. He explained that as far as he knew the oil companies may not even be interested in Ruggie's report:

No, they don't, they don't. I don't think even that some of them have heard about this Ruggie's report. That is how bad it is. So whether they are

complying or not, I don't think they are, I don't think they are even interested in that report. Because you are doing something, you must show evidence that you are doing that thing. Don't just come and pesster and say I want to do this. No, let there be evidence, the Ruggie's report ... I don't think it is even imbibed by these oil companies [NGO, 2].

- ***Theme thirty-seven – the need for more effective access to remedies for victims of human rights abuses involving companies.***

The results on the need for more effective access to remedies for victims of human rights abuses involving companies were obtained from interviews conducted with a category of participant as discussed in 4.6.1 of the methodology chapter. The findings indicate that, at times, courts listen to the victims of human rights abuses by oil companies and try to compel the oil companies to obey the law of the land. This is supported by data (secondary data) on Nigeria: victims of human rights abuses by companies are too often defenceless; the ICJ Report (Business and Human Rights Resource Centre, p.1), a new report by the International Commission of Jurists in Geneva, Switzerland, indicates that victims of human rights abuse by companies – mainly the oil industry – in Nigeria have very limited access to legal remedies and reparation.

Similarly, the findings are supported by the views obtained from the participant from the development agency:

Yes, yes, why won't they listen, court listened. I think they are doing some cases where the court will have to compel the oil companies to comply with the laws of the country since they have some rules guiding them. And if by any standard the people are tempered with, the court will call them to order. That is one of the fundamental human rights, everyone has that fundamental human right. If somebody is tenant in your land or house per se you have the right to take the person to court [DE, 4].

6.4.5.3 Archival results on compliance with Ruggie's (2010–2011) frameworks in the Niger Delta

This section presents archival results on compliance with Ruggie's (2010–2011) frameworks. The section is organised as one cluster.

- **Cluster fourteen – compliance with Ruggie's (2010–2011) frameworks**

This cluster presents results on compliance with Ruggie's frameworks. The section is organised as one theme.

- ***Theme thirty-eight – compliance with Ruggie's frameworks***

The results on compliance with Ruggie's frameworks were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. For proper understanding of the term, compliance is the practice of obeying the constituted authority, rules and regulations, laws or frameworks. The findings indicate that oil companies operating in the Niger Delta do not comply with international best practice. This is supported by data obtained from ERA Director Nnimmo Basey in *The Reliance* newspaper of 18th–31st December, 2011, that oil companies in Nigeria do not adhere strictly to international best practice: *Berating MNOCs operating in the country for their neglect and total disregard of international standard practice.*

6.4.5.4 Stage summary

- **Summary of findings on ethical issues in the Niger Delta**

The website results show that oil companies are fully engaged in minimisation of their operational impact on local communities, especially on pollution, through the use of health and safety. The results also show that the oil companies have respect for the individual and, finally, support for CSR and sustainability.

The findings on the interview results show that oil companies do not pay compensation to local communities for damages resulting from their operations in the communities

unless there is serious intervention by the government or communities compelling them to do so by halting their operations.

The archival results findings on payment of compensation to local communities indicate that the oil companies do not pay compensation unless they are compelled to by the government or the communities. The archival findings indicate that local communities were faced with accusation of criminal tendencies because of inappropriate use of the clauses in the PIB that communities shall be responsible for environmental degradation when at any time it is discovered that a member of a community is involved in sabotage. The findings also show that the profit motive of the company disallowed them from paying compensation.

- **Summary of findings on social issues in the Niger Delta**

Throughout the research into the websites of oil companies, no data on social issues in the Niger Delta were found.

The interview findings on social issues indicate marginalisation from all categories of participants showing that the local communities were marginalised by oil companies and the Nigerian government. The findings on neglect of local communities from two categories of participants clearly indicate that the local communities were neglected by both the oil companies and the Nigerian government. Brutality and intimidation findings from all categories of participants indicate that local communities in the Niger Delta were subjected to sheer wickedness by oil companies operating in the Niger Delta. The archival results on marginalisation of local communities show that the local communities in the Niger Delta were not only marginalised but deprived of their livelihood and fundamental rights by oil companies operating in the Niger Delta. Findings on neglect of local communities indicate that oil companies in the Niger Delta

and the Nigerian government were insensitive about concerns for local communities. On deprivation, the findings show that local communities were deprived of access to the basic necessities of life and from participating in decision-making processes that affect them in the Niger Delta. Archival results on brutality and intimidation of local communities indicate that oil companies were found to be using the Nigerian security forces to brutalise and intimidate the local communities. Findings on war and insecurity indicate that the communities were exposed to incessant wars between the local communities and oil companies, and wars among communities caused by oil companies.

- **Summary of findings on legal issues in the Niger Delta**

The website results show that the CSR and SD of oil companies in the Niger include legal policies and practices which imply that the oil companies have addressed legal challenges and strictly abide by law. Findings from the websites indicate that all the oil companies except Pan Ocean and Oriental Energy Resources comply with the international regulations and host country's regulatory frameworks including local law. The findings from the interviews were no different from the findings from the archival results. Thus, findings show that the Nigerian government is yet to hold oil companies accountable for their unethical practices in local communities of the Niger Delta for the following reasons advanced by Bowen (1953:63):

Corporations maintain relationship with government to influence public policy toward the interests of business, the preservation of the free-enterprise system, opposing policies of control or restriction on business, and supporting policies of freedom, to aid business and trying to get specific advantages for particular businesses and particular industries.

The archival findings result in holding the oil companies accountable for their crimes in local communities show that oil companies in the Niger Delta are yet to be held accountable in local communities.

- **Summary of findings on human rights issues in the Niger Delta**

The website results on human rights policies and practices of oil companies in the Niger Delta show that some of the oil companies have been committed to human rights compliance. Of the IOCs, only Afren Global Resources provided for human rights policies and practices on its website. Others, such as NPDC, DOCL, POOCN and Oriental Energy Resources, were silent about human rights issues. For the MNOCs, Shell was silent about human rights. Agip, Mobil and TOTAL were not silent: their human rights policies and practices indicate compliance with the 1947 Universal Declaration of Human Rights.

The interview findings on farming and fishing in human rights issues in the Niger Delta indicate that human rights have been held at bay in the Niger Delta, and local communities were grossly abused and deprived of their economic activities in the localities as a result of pollution and gas flaring, among other reasons. The participants from all categories of the interviews revealed that farming and fishing were the main economic activities of the locals and were seriously diminished because of operations by oil companies. The interview findings from all the categories of participants also indicate that the local communities were denied access to freedom of movement in local communities of the Niger Delta as a result of the operations of oil companies in the communities. For example, a participant explained that:

If you go to some of these communities, just see a wide well banned, they will be locked up on these wells, they will barricade it, you can't even go in, movement is restricted, livelihood of the people in these areas are affected.

The findings from different categories of participants on conflict between local communities show that there are four major causes of conflict between local communities. First, claim of ownership of oil wells. Second is the process of sharing the benefits from oil, if any. Third, the oil companies use divide and rule tactics to cause

confusion between the local communities. Fourth is the issue of change in community leadership. Findings on conflict between the oil companies and local communities show that conflicts between the local communities and oil companies occur on a daily basis. Findings reveal that conflict between the oil companies and local communities has resulted from lack of payment of compensation by oil companies to communities. Also key is the failure of oil companies' operational equipment, which leads to leakages and spills within the communities, and the failure of oil companies to embark on sustainable development in local communities of the Niger Delta. On poverty, findings indicate that the local communities of the Niger Delta have been subjected to abject poverty as a result of the oil exploration and production activities of oil companies in the region.

The archival findings on farming and fishing clearly show that the operations of oil companies in the Niger Delta affect farming and fishing as a result of pollution, oil spills and gas flares among others. Regarding movement of local communities of the Niger Delta: throughout the data collection, there were no data on movement of local communities in the Niger Delta. Findings on conflicts between communities indicate that some conflicts between the local communities have resulted from instigation by oil companies or claims for ownership of oil wells. Archival findings show that conflicts between the local communities and oil companies have occurred daily for two reasons. First, at times oil companies have collaborated with the elders of some communities to claim the ownership of oil wells. Second, communities have been provoked due to lack of sustainable development in their communities by oil companies. Findings also indicate that oil companies do not sufficiently alleviate poverty caused by their operations in local communities of the Niger Delta.

- **Summary of findings on Ruggie's frameworks in the Niger Delta**

Findings from the websites in relation to Ruggie's frameworks show that neither the IOCs nor the MNOCs were keen on Ruggie's frameworks, and, therefore, they did not feature them on their websites, with the exception of Agip who expressed allegiance and made statements with regards to the frameworks on its website.

The interview findings concerning Ruggie's frameworks on the principle of state duty to protect against human rights abuses by third parties including business indicate that the Nigerian government is weak in protecting citizens against the unethical practices of oil companies in the Niger Delta. The participant from the development agency lamented that the Nigerian government is not doing enough to protect its citizens in this way. The participant proceeded to state that the oil companies were rather keener to protect their own employees than to protect the locals. Findings from the participants on the principle of corporate responsibility to respect human rights, avoid harm, and comply with laws and existing social expectations to gain the licence to operate from the three categories of participants indicate that oil companies in the Niger Delta do not respect the human rights of the local communities sufficiently to avoid harming them or to comply with federal, state or local laws, and some of the oil companies are not even aware of the frameworks.

The archival findings on Ruggie's frameworks show that the oil companies and the Nigerian government do not adopt international best practice in the Niger Delta to support the three clauses of the frameworks.

6.5 Stage four: oil companies' provision for sustainable infrastructure in local communities

This section presents the results of stage four of the study framework on oil companies' provision for sustainable infrastructure in local communities discussed in the literature review chapter. The results presented in this stage will answer the research question below.

- **Are the oil companies investing in sustainable infrastructure that benefits the local communities?**

6.5.1 Results on sustainable infrastructure in local communities

This section presents the results on sustainable infrastructure in local communities. The section is further organised into website results on infrastructure policies and practices of oil companies operating in the Niger Delta and interview results and archival results on infrastructural issues in the Niger Delta.

6.5.1.1 Website results on sustainable infrastructure policies and practices of oil companies in the Niger Delta

This section presents the results on sustainable infrastructure in local communities in the Niger Delta. The theme includes state of infrastructure in the Niger Delta. The contents of this section are organised as a table in appendix D but explained below.

- **Corporate citizenship policies in the Niger Delta / relevance in the Niger Delta**

The results on sustainable infrastructure of oil companies' policies and practices in the Niger Delta were obtained from website content analysis as discussed in 4.6.3 of the methodology chapter. The findings indicate that the oil companies' corporate citizenship policies and practices encapsulate some integral aspects of sustainable infrastructure. These were much more evident in corporate citizenship of DOCL and POOCN among the IOCs. For the MNOCs, the emphasis was more on education and health. Other physical infrastructure, such as power supply and construction of roads, and water needed by local communities were not sufficiently addressed in the websites. Notwithstanding, let us hear from the stakeholders and local communities at whom the policies and practices were targeted.

6.5.1.2 Interview results on sustainable infrastructure in the Niger Delta

This section presents the results of qualitative interviews to provide information and, in some cases, explanations to answer the research question. The section is organised as one cluster.

- **Cluster fifteen: infrastructural issues in the Niger Delta**

This cluster contains one pre-designated theme. The theme includes the state of infrastructure in the Niger Delta.

- ***Theme thirty-nine – state of infrastructure in the Niger Delta***

The results on the state of the infrastructure in the Niger Delta were obtained from interviews conducted with four categories of participants discussed in 4.6.3 of the methodology chapter. The findings from all the participants indicate that the infrastructural facilities available in local communities of the Niger Delta were grossly inadequate. These include water, health, education, access to good roads, housing and power supply. The finding is opposed by data (secondary data) in CA's New Basic Need (NBN) idea, which centres on providing human beings, particularly the poor and the deprived, with opportunities for a full life (Streeten in Haq, 1995:6; Streeten et al., 1981; Stewart and Deneulin, 2002).

Similar results were obtained during the interviews from participant in development agency, who said that the infrastructural facilities in the Niger Delta were grossly inadequate: *Very zero, zero [DE, 5]*.

Comparable views were obtained from a participant from the Ughotan oil- and gas-producing community of Edo State, who confirmed that the infrastructure in local communities was poor. In Ughoton, the participant told me that there have been three oil wells in his community in operation since 1957; initially, these were owned by Philips, and now by Dubri Oil Company Limited. The participant complained that, since

then, the only tangible things offered to the community in the form of CSR and SD have been a health centre without nurses or drugs; the borehole drilled by the NDDC did not function for more than few months after it was drilled, housing is non-existent, and there is nothing else:

Well, for now the infrastructural facilities here I think is of zero level, because we don't have any. Yeah, our roads are bad, even the roads they say they constructed is substandard road, if you are going through the road, you see is not smooth. As for the infrastructure, we don't have housing, we don't have electricity, we don't have all these things, so infrastructure is bad [LC, UGH 20].



Figure 14: A typical house of locals at Ughoton

Source: Ndajiya (2013)

6.5.1.3 Archival results of infrastructural issues in the Niger Delta

This section presents the archival results on sustainable infrastructure in local communities. The section is organised as one cluster.

- **Cluster sixteen: infrastructural issues in the Niger Delta**

This cluster contains one pre-designated theme. The theme includes the state of infrastructural facilities in local communities of the Niger Delta.

- ***Theme forty – state of infrastructure in the Niger Delta***

The results on the state of infrastructural facilities in the Niger Delta were obtained from media document analysis discussed in 4.6.2 of the methodology chapter. Infrastructure refers to the fundamental, physical, organisational structures and facilities required by society. These include roads, power supply and buildings. The findings indicate that the local communities in the Niger Delta were faced with acute shortages of infrastructural facilities. This is confirmed by data obtained from the Nigerian Observer of 30th January, 2013, indicating that the chairman of the oil- and gas-producing communities of Ologbo, Ikara, Ajatitou, Kolokolo, Ajoki, and Ajamimogha in Edo State, Prince Johnson Atselegbe, contends that the communities lack infrastructural facilities, and therefore calls for their provision in local communities:

The people are demanding, amongst others, the execution of projects in their communities, such as concrete jetties, cottage hospitals, schools, pipe-borne water, staff quarters, low cost housing scheme, skills acquisition programme for the training and empowerment of youths, building of town halls, construction of walkways, and construction of roads to link and interconnect oil producing communities.

6.5.1.4 Stage summary

The website findings show that the oil companies' corporate citizenship policies and practices encapsulate some integral aspects of sustainable infrastructure. These were much more evident in the corporate citizenship of DOCL and POOCN, among the OICs. With the MNOCs, the emphasis was more on education and health. Other aspects of physical infrastructure, such as power supply and construction of roads, and water needed by local communities, were not sufficiently addressed in the websites.

The interview findings from five categories of participants indicate that the infrastructural facilities in virtually all the local communities of the Niger Delta were grossly inadequate. The participants explained that in some communities the infrastructural facilities were nonexistent.

The archival findings on oil companies investing in sustainable infrastructure that benefits the local communities indicate that the local communities in the Niger Delta are faced with an acute shortage of infrastructural facilities. The local communities lack basic amenities such as roads, housing, water, education and health.

6.6 Stage five: oil companies' contribution to improvement of long-term well-being and quality of life of communities (e.g., education, health)

This section presents the results of stage five of the study framework on contribution by oil companies to improvement of the long-term well-being and quality of life of communities (e.g., education, health) discussed in the literature review chapter. The results presented in this stage will answer the research question below.

- **Are oil companies contributing to the improvement of the long-term well-being and quality of life of communities (e.g., education, health)?**

6.6.1 Results of oil companies' contribution to the improvement of the long-term well-being and quality of life of communities (e.g., education, health)

This section presents the results on CSR / SD based on oil companies' contribution to the improvement of the long-term well-being and quality of life of communities (e.g., education, health). The section consists of website results on CSR / SD policies and practices of oil companies in the Niger Delta, and interview results and archival results on CSR / SD of oil companies in the Niger Delta.

6.6.1.1 Website results of CSR / SD policies and practices of oil companies in the Niger Delta

This section presents the results of CSR / SD policies and practices of oil companies operating in the Niger Delta. The themes include improving standard of living, health and education, and expectation of welfare schemes provided to local communities. The section is organised as a table in appendix D but explained below.

- **CSR policies and practice in the Niger Delta / relevance in the Niger Delta**

The results on CSR / SD policies and practices of oil companies were obtained from the website content analysis as discussed in 4.6.3 of the methodology chapter. The findings indicate that the oil companies are committed to CSR / SD in local communities of the Niger Delta. The findings also show that oil companies are committed in particular to improving the well-being of local communities in the areas of education and health. This is supported by data (secondary data) on definition of corporate social responsibility which indicates that business should be committed and continue to behave ethically and contribute to economic development while improving the quality of life of the workforce and their families as well as local community and society at large (WBCSB, 2001; Cornelius et al., 2008; Cornelius and Wallace, 2011; Sen, 1985, 1999; Majundar and Subramanian, 2001; Nussbaum, 2007:87–80).

Finally, is the display of these laudable CSR / SD policies and practices by oil companies on their websites targeted towards the stakeholders and local communities? If yes, find the views of the stakeholders and local communities on CSR / SD policies and practices of oil companies in the Niger Delta.

6.6.1.2 Interview results on CSR / SD issues in the Niger Delta

This section presents the results of qualitative interviews to provide information and, in some cases, explanations to answer the research question. The section is organised as two clusters.

- **Cluster seventeen – economic sustainability in the Niger Delta**

This contains one pre-designated theme. The theme includes improving the standard of living of local communities.

- ***Theme forty-one – improving the standard of living of local communities***

The results on improving the standard of living of local communities were obtained from interviews conducted with three categories of participants as discussed in 4.6.1 of the methodology chapter. The findings indicate that the standards of living of local communities are very poor. This is opposed by data (secondary data) on definitions of corporate social responsibility which indicate that business should be committed and continue to behave ethically and contribute to economic development while improving the quality of life of the workforce and their families as well as the local community and society at large (WBCSB, 2001; Sen, 1993:31–2, 40–42; Balestrino, 1996; Chiapper Martineti, 1994; 1996; 2000; Clark and Qizilbash, 2002; 2005; Klasen, 1997; 2000; Majundar and Subramania, 2001; Sen, 1992; 1999; Idemudia, 2014).

Similar views gathered from a participant from the Ughoton oil- and gas-producing community during the interviews which supported the views of participants from the development agency and the Gelegele community that I should first of all drop the term CSR because what the oil companies had provided as CSR isn't worth the name; he said: *First of all, I would like the elimination of that CSR because if what I know to be CSR is what the oil companies are giving to the Niger Delta people, I think that is zero [LC, GLE 21].*

- ***Theme forty-two – health and education***

The results on health and education were obtained from interviews conducted with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings from all the participants indicate that the education and health facilities in the local

communities of the Niger Delta are very poor. This is opposed to data (secondary data) in CA on health and education. In terms of health, it is opposed to the ability to have good health, including reproductive health (Sen, 1984:497; Clark, 2002, table 3.1; Nussbaum, 2007:78–80). In terms of education, it is opposed to being able to read, write, communicate, and develop literacy and scientific participation including use of the senses, imagination, and thought, and to being able to stay informed and receive an adequate education (Sen, 1984:497; Clark, 2002, table 3.1; Nussbaum, 2007:78–80). Similar results to the findings were obtained from a representative of the Nigerian government in the oil and gas sector, as well as from participants from the development and environmental agencies, who indicated that there are no quality education facilities in local communities. According to the participants, the deficiency in the infrastructure of local communities was the cause, because it is not possible to detach the quality of education personnel from quality of education in the communities. He explained that, in communities with schools, you find a class of about forty pupils covered by a teacher of all subjects, which reduces the quality of education imparted to the children:

Good education? How many teachers will want to stay there when there are no facilities because you cannot remove the quality of personnel from education that will be available to the people. So it has a way of affecting the quality of teaching, and quality of education that will pass. You will find that in most rural schools, you will see a class of about thirty to forty covered by a single teacher. You know, so we are grappling with all of that. Yeah [GR, HAS 3].

In Ajoki oil- and gas-producing community, the participant stated that there is not a single primary school in his community. He stressed that the building proposed for the primary school is in the forest, and uncompleted. The participant asserted:

Ummh, there is no school now, there is no school now. No single school, the one they proposed to, the primary school is uncompleted in the forest there [LC, AJO 22].

The findings from this participant triggered my memory of statements made by the participant from the Ajoki community who said that the community had a block of

dilapidated classrooms built by the Millennium Development Goals (MDG), but at the time it had no roof. So those who were financially better off took their children to Koko Primary School by boat every day because of the lack of road access, and those parents who were financially incapacitated left the children at home to roam about the community without going to school.

- **Cluster eighteen – social sustainability in the Niger Delta**

This cluster contains one pre-designated theme. The theme includes the expectation of welfare schemes being provided to local communities.

- ***Theme forty-three – expectation of welfare schemes provided to local communities***

The results on expectation of welfare schemes provided to local communities were obtained from the interviews conducted with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings tend in two directions. The first findings indicate that the oil companies do not provide welfare schemes to local communities. The second findings indicate that the welfare schemes provided to local communities by some of the oil companies do not meet the expectations of the local communities. This is opposed by data (secondary data) on local community relations which indicates that *corporations have the obligations and duties of a good citizen and good neighbour which includes participation by officials and employees in community activities pertaining to government, education, religion, recreation, etc. and financial support of these activities* (Bowen, 1953).

Similar views to the findings were gathered from a participant in an NGO in Benin City during the interviews, who provided his own perspective that:

Not at all, not at all [NGO, 3].

In the Gelegele oil- and gas-producing community, the participant stated that the location of the flow station, with its gas flare, at the heart of his community is the CSR / SD that DOCL could claim to have provided to his community members. According to

the participant, most people in his community had serious health challenges ranging from ear problems to coughing blood, and premature death:

Without being told you have been there, you have seen things with your eyes Oga [the boss]. There is a heavy gas flare stationed even at the heart of my community, Gelegele community. That even if you think in the afternoon is like in hell. At night, there is no day, there is no night, the vibration, like now, if you not close, you will not hear what I am saying. That is what we are facing. We have ear problems, sometimes our old men when they cough, they cough blood. They will cough blood, and the water itself, when you drink it, you are drinking acid water. When rain fall on the roof, you know because we are looking for clean water, when you take it, we don't know that this water is causing cancer to our health, they will drink it. Then the old men, they don't last, even before they reach fifty years, they die because of this contaminated water. So, we are begging that they should remove this flare from our community [LC, GLE 23].

6.6.1.3 Archival results on CSR / SD issues in the Niger Delta

This section presents the results on CSR / SD in the Niger Delta. The section is organised as two clusters.

- **Cluster nineteen: economic sustainability in the Niger Delta**

This cluster contains two pre-designated themes. The themes include improving the standard of living of local communities and health / education.

- ***Theme forty-four – improving the standard of living of local communities***

The results on improving the standard of living of local communities were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. Standard of living refers to level of wealth, comfort, material goods and necessities available to local communities in the Niger Delta. The findings indicate that the local communities are faced with the challenges of a poor standard of living, such as lack of access to quality healthcare and education. This is confirmed by data obtained from Compass Energy from the 8th November, 2011, indicating that communities accused oil companies of undermining the local communities by contributing nothing to improve their standard of living while showing discriminatory attitudes between their employees

living in local communities where their flow stations are located and members of such communities by failing to provide them with basic needs of electricity, water or standard health facilities, to the detriment of communities:

Oil companies are accused of providing state-of-the art facilities for their personnel without adequate consideration to the needs of their hosts, even when doing so is relatively cheap and feasible. For example, they are only willing to build roads if such will open up new and lucrative oilfields than serve host communities. They are able to generate electricity to power their numerous sites not bothering to link their immediate hosts to the same grid even when it is cost-effective to do so. As a result there are stark disparities between social infrastructure available to oil communities and those enjoyed by oil companies even in the remotest part of Niger Delta or offshore. The problem is compounded by what host communities view as the sheer arrogance and pomposity with which oil companies celebrate their so-called community-friendly operations and programmes.

- **Theme forty-five – health and education**

The results on health and education were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. Health is the state of complete physical, mental and social well-being. Education is concerned with delivery of skills, knowledge and information from one generation to another by means of teaching and research activities. The findings indicate that health and education have not been sufficiently addressed in local communities of the Niger Delta and therefore pose very serious challenges to local communities. Data supporting the findings were obtained from Nigeria: The travesty of oil and gas wealth (2006:123-124) on *Analysis of social, economic problem: Housing, environmental quality to infrastructure facilities in the Niger Delta* that:

Generally, rural housing in the delta region is sub-standard in design and quality. Most of the walls are either constructed with mud blocks or stick with mortar and covered with thatched roofs. Housing and infrastructure are deficient in all part of the Niger Delta. The call for for adequate infrastructure is regarded as critically important to break the nexus of environmental degradation, poverty, and human health and education. Official records indicated about 20-42 per cent of local communities and 45 per cent of urban communities have access to sources of save drinking water

- **Cluster twenty: social sustainability in the Niger Delta**

This section contains one pre-designated theme. The theme includes expectations of welfare schemes provided to local communities.

- ***Theme forty-six – expectations of welfare schemes provided to local communities***

The results on expectations of welfare schemes provided to local communities were obtained from media document analysis as discussed in 4.6.2 of the methodology chapter. The expectation refers to the belief and hope of local communities that oil companies will provide as far as possible some welfare schemes to improve their standard of living. The findings indicate that the expectations of local communities were not met by the oil companies operating in the Niger Delta region. This is opposed by data on failed expectation and social frustration in Nigeria: the travesty of oil and gas wealth (Catholic secretariat, 2006) whereby, once crude oil exploration begins to yield positive results, initial excitement usually builds along with an expectation that the community will automatically be entitled to benefits that come with being an ‘oil-producing community’. This development brings hope that old and dilapidated infrastructure will be refurbished and that new infrastructure will be put in place to improve the welfare of the people (Catholic secretariat, 2006):

There is also an expectation that, as oil companies begin to carry out their operations and implement community development programmes, more people would have the opportunity of gainful employment. In the context of prolonged denials and frustrations, multinational oil companies are seen more as quasi-government due to the fact that the real government is too distant, and perceived as not showing sufficient interest. Most of the oil companies have neither come to terms with this pervasive public expectation nor delivered them well. These unmet or failed expectations, and the social frustrations they provoke, are translating into a persisting cohabitation without affection dogging relationships with host communities in the last two decades, at least.

6.6.1.4 Stage summary

The website findings show that some oil companies operating in the Niger Delta have been committed to CSR / SD in local communities of the Niger Delta. Findings also

show that some oil companies were committed in particular to improving the well-being of local communities in the areas of education and health.

The interview findings on CSR / SD were based on economic and social sustainability. The findings on economic sustainability and on improving the standard of living of local communities from five categories of participants show that the standards of living of local communities are indeed very poor, including health and education. Findings for social sustainability on expectations of welfare schemes provided to local communities were mixed. The first findings indicate that many of the oil companies do not provide welfare schemes to local communities. The second findings also indicate that the welfare schemes provided to local communities by some of the oil companies do not meet the expectations of the local communities.

The archival findings on CSR / SD issues in the Niger Delta can be viewed from the perspectives of economic sustainability and social sustainability. Findings on improving the standard of living of local communities under economic sustainability indicate that the local communities were faced with the challenges of poor standard of living such as access to quality healthcare and education. Regarding social sustainability, on expectation of welfare schemes provided to local communities, findings indicate that oil companies operating in the Niger Delta do not meet the expectations of the local communities.

6.7 Stage six: engagement of oil companies in dialogue with local communities

This stage presents the results of stage six of the study framework on engagement of oil companies in dialogue with local communities as discussed in the literature review chapter. The results presented in this stage will answer the research question below.

- **Do the oil companies engage in dialogue with local communities regarding activities that are taking place and / or impact local communities? If so, how?**

6.7.1 Results on engagement of oil companies in dialogue with local communities

This section presents the results on engagement of oil companies in dialogue with local communities. Further, the section consists of website results on corporate governance policies and practices, and interview results and archival results on corporate governance issues in the Niger Delta.

6.7.1.1 Website results on corporate governance policies and practices of oil companies in the Niger Delta

This section presents the results on corporate governance policies and practices of oil companies in the Niger Delta. The themes are similar with archival results but with the additional themes of rights of the people and stakeholder engagement. The section is organised as a table in appendix D but explained below.

- **Corporate governance in the Niger Delta / relevance in the Niger Delta**

The results on corporate governance policies and strategies were obtained from website content analysis as discussed in 4.6.3 of methodology chapter. The findings show that the CSR / SD of oil companies encapsulates corporate governance policies and practices which guide them in dialogue with local communities, with the exception of Oriental Energy Resources, who lack corporate governance policies. These include maintaining cordial relationship with local communities, partnership, communication with local communities, regular meetings with local communities, implementing agreements reached with local communities, rights of indigenous people and stakeholder

engagement. This is supported by data (secondary data) indicating that for MNOCs to achieve effective governance for sustainability, it is imperative to accept the paradigm of ethics in governance for sustainability (Cornelius et al., 2008). Finally, if the display of corporate governance policies and practices by oil companies on websites is targeted towards the stakeholders and local communities, then it is worthwhile to hear the views of the stakeholders and / or local communities on this.

6.7.1.2 Interview results on corporate governance issues in the Niger Delta

This section presents the results of qualitative interviews on corporate governance issues in the Niger Delta. The section is organised as one cluster.

- **Cluster twenty-one – corporate governance issues in the Niger Delta**

The cluster contains five pre-designated themes. The themes include communication with local communities about welfare services to be provided, partnership with local communities, regular meetings with local communities and stakeholders, implementing agreements reached with local communities and relationships of local communities with oil companies.

- ***Theme forty-seven – communication with local communities about welfare services to be provided***

The results on communication with local communities about welfare services to be provided were obtained from qualitative interviews conducted with four categories of participants as discussed in 4.6.1 of the methodology chapter. The term communication refers to dissemination of information by way of writing, speaking or the use of any other medium from a sender to a receiver. The findings from three participants indicate that oil companies do not communicate with the local communities about the welfare services to be provided. This is opposed by data (secondary data) on social good as the engines for enhancing community capacity to define and utilise the social and economic

goods that will improve their lives and sustain momentum after the project funds have run out (Cornelius and Wallace, 2011). The explanations demonstrate the need for MNOCs in the Niger Delta to make necessary contact with the local communities via partnership prior to embarking on the provision of a toolkit, as highlighted by Hull (2000), to determine the needs of the local communities and evaluate the available toolkits in order to meet up with the desires of the local communities and to avoid duplication.

Further evidence in support of the perspective that oil companies do not discuss matters with local communities before providing such welfare was obtained via similar views expressed by the participant from the Gelegele oil- and gas-producing community, who said that oil companies hitherto have not communicated with communities before offering anything in the form of CSR and or SD. He further asserted that it has been the habit of oil companies to suddenly come to the communities to embark on programmes that the communities are not aware of, which, in most cases, backfires because the locals do not always agree with them:

They never, maybe if they want to, they will just come up one day, maybe, say we want to do this. And we say no, this is not how to do it. At least we are stakeholders in the operation, so we have to come together and brainstorm and say this is what we want to do before we try and try and do all these. So they have not [LC, GLE 24].

- ***Theme forty-eight – partnership with local communities***

The results on partnership with local communities were obtained from interviews conducted with five categories of participants as discussed in 4.6.1 of the methodology chapter. The findings from the participants tended in two directions. Partnership is the association between the local communities and oil companies. The findings from four of the five participants indicate that oil companies do not partner with local communities. This is opposed to data (secondary data) indicating that partnership as an integral part of governance for sustainability is a veritable tool for MNOCs in the Niger Delta to listen

to the voice of local communities and to encourage community participation in partnership governance (Cornelius and Wallace, 2011; Nwagbara, 2014).

Similarly, during the interviews, the participant from Oben oil- and gas-producing community confirmed to me that oil companies don't partner with his local community: *They don't partner with us, they have not provided, they have not provided, we have not seen, so....[LC, OBN 25].*

- ***Theme forty-nine – regular meetings with local communities***

The results on regular meetings with local communities emerged from interviews conducted with four categories of participants as discussed in 4.6.1 of the methodology chapter. The term 'regular meetings' refers to frequent occurrence of meetings between the local communities and oil companies. The findings indicate that oil companies do not regularly meet with local communities unless there are problems with oil companies before they they visit the communities. This is opposed to data (secondary data) indicating that the number of meetings held annually by mining companies with communities is an indicator for awareness and implementation of CSR by mining companies to protect the environment and implement programmes that will promote a sustainable society (Cornelius et al., 2008).

Similar to these findings were the views of the participant from the development agency in Benin City, who said that oil companies only meet with the local communities when they have a problem with them, so as to resolve the issues and carry on their operations: *They only come when there is problem, when there is conflict between the oil companies and the communities, that is when they find it necessary to come to communities to negotiate [DE, 6].*

Similar views emerged from a participant in Ajamimogha oil- and gas- producing community, who said that, for quite some time now, they had not held any meetings

with oil companies in his local community: *I said no, for some time now, there have not been any meeting now [LC, AJA 26].*

- ***Theme fifty – implementing agreements reached with local communities***

The results on implementing agreement with local communities were obtained from interviews conducted with five categories of participant as discussed in 4.6.1 of the methodology chapter. The findings on participants from different categories indicate that oil companies do not always implement the agreements reached with local communities. This is opposed by data (secondary data) indicating that the rate of participation of the residents and the level of implementation of decisions agreed on during the course of the meetings is an indicator for awareness and implementation of CSR by mining companies (Cornelius et al., 2008).

Similar views emerged from a participant in Obayantor 11, who said that oil companies do not implement the agreements reached with his community:

What we discuss with the company they will not do it. That is our problem with them, what we tell them we will be insisting on the something. For instance, we are in a meeting, and we say this is what you will do, you will do these for us, they will say okay, we have heard. And three months will come again, we will come for another quarterly meeting, we will say we have asked you people to do these things for us, why have you not done it? They will say no, our operation didn't go well, so there has not been anything [LC, OBY 11 27].

6.7.1.3 Archival results on corporate governance issues in the Niger Delta

The section presents results on corporate governance issues in the Niger Delta. The section is organised as two clusters.

- **Cluster twenty-two: corporate governance issues in the Niger Delta**

The cluster contains five pre-designated themes. These include communication with local communities about welfare services to be provided, partnership with local communities, regular meetings with local communities and stakeholders, implementing

agreements reached with local communities and relationships of local communities with oil companies.

- ***Theme fifty-one – communication with local communities on their welfare services***

Throughout the archival data collection, there were no data on communication by oil companies with local communities about welfare services to be provided.

- ***Theme fifty-two – partnership with local communities***

Throughout the archival data collection, there were no data about oil company partnerships with local communities.

- ***Theme fifty-three – regular meetings with local communities and stakeholders***

Throughout the archival data collection, there were no data about oil companies engaging in regular meetings with local communities in the Niger Delta.

- ***Theme fifty-four – implementing agreements reached with local communities***

The data on implementing agreements reached with local communities emerged from the media document analysis as discussed in 4.6.2 of the methodology chapter. ‘Implementing agreements’ refers to carrying out of agreements or putting into action the agreements reached with local communities by oil companies in the Niger Delta. The findings indicate that oil companies do not implement the agreements reached with local communities. This is underpinned by data obtained from the Daily Trust of 4th August, 2011, on a breach of agreement by Agip Company whereby it accepted the responsibility for oil spills which resulted from equipment failure and agreed to provide relief materials and compensation, but failed to deliver on the agreements promised:

A similar matter of oil spills like this happened in 2008 and in 2009 in Okpotuari community in Bayelsa State. In the case of 2008, the Agip Company certified that it was an equipment failure. The Okpotuari community was only

called upon for relief material. They promised calling us for compensation but right from then till now, nothing has happened.

6.7.2 Results on voice and agency issues in the Niger Delta

This section presents the results on voice and agency in the Niger Delta. It contains website results on voice and agency policies and practices of oil companies in the Niger Delta, and interview results and archival results on voice and agency issues in the Niger Delta.

6.7.2.1 Website results on voice and agency policies and practices of oil companies in the Niger Delta

Throughout the search from websites, there were no data on voice and agency policies and practices of oil companies in the Niger Delta.

6.7.2.2 Interview results on voice and agency issues in the Niger Delta

This section presents the results of qualitative interviews on voice and agency issues in the Niger Delta. The section is organised as one cluster.

- **Cluster twenty-three – voice and agency issues in the Niger Delta**

This cluster contains two pre-designated themes. The themes include negotiation with oil companies by local community chiefs on behalf of local communities, and negotiation with government by local community chiefs on behalf of local communities.

- *Theme fifty-five – negotiation with oil companies by local community chiefs on behalf of the local communities.*

The results on negotiation with oil companies by local community chiefs on behalf of the local communities emerged from qualitative interviews conducted with four categories of participants as discussed in 4.6.1 of the methodology chapter. The findings were not different from the findings of archival results. Thus, findings indicate that the

local chiefs were banned by local communities from negotiations on behalf of the communities. Rather, a formally constituted body of executives in the communities were empowered to embark on negotiations on behalf of the local communities in the Niger Delta. This is underpinned by data (secondary data) by Cornelius and Wallace (2011) in their journal article entitled ‘Cross-Sector Partnerships: City Regeneration and Social Justice’ indicating that governance of cross-sector partnerships, built upon negotiated values and strong community voice, may result in a greater sense of procedural justice, as well as improvements to orderliness in local neighbourhood (Cornelius and Wallace, 2011).

Comparable views were obtained from a participant in the Gelegele oil- and gas-producing community of Ovia North-East Local Government Area in Edo State who said that the chiefs cannot negotiate alone without collaborating with the community executives. According to him, the community executives were charged with the responsibility of negotiating on behalf of the community, rather than the chiefs:

Ummh the chiefs, they don't, we have executives to do that. For instance that is happening where the executive who runs the day-to-day activities of the communities. So they are the people to negotiate if there is anything to negotiate. They are the people to represent, not the chief, the chiefs are at home LC, GLE 28].

During the interviews, I asked one of the participants if there are reasons from local communities for empowering the executives to negotiate on behalf of the communities rather than the community chiefs. He revealed that the regime of allowing the chiefs to negotiate on behalf of the communities has passed, and the idea is no longer tenable in local communities for two fundamental reasons: first, the confidence placed in local community chiefs by the communities had been abused as a result of corruption by the chiefs. Second, the personal interests of the chiefs supersede the interests of the

communities. After the communities realised these things, they decided to explore another approach, that of empowering the executives with such responsibilities.

6.7.2.3 Archival results on voice and agency issues in the Niger Delta

This section presents the archival results on voice and agency issues in the Niger Delta. The section is organised as one cluster.

- **Cluster twenty-four: voice and agency issues in the Niger Delta**

This cluster on voice and agency issues in the Niger Delta contains two pre-designated themes. The themes include negotiation with oil companies by local community chiefs on behalf of the local communities, negotiation with government by local communities on behalf of the local communities and negotiation by state government with federal government on behalf of the local communities.

‘Voice’ refers to the desire of local communities in the Niger Delta. It thus depicts the free will of the locals, in particular against hegemonic imposition. Further, voice provides the opportunity to local communities in the Niger Delta to be heard, and to express their feelings and needs about the CSR and SD of MNOCs that could impact on the lives of the local communities (Sen, 1992, 1999; Nussbaum, 1999; Cornelius and Wallace, 2011). On the other hand, agency is the act by local chiefs of rendering a specific kind of intangible (service) on behalf of the local communities.

- ***Theme fifty-six – negotiation with oil companies by local community chiefs on behalf of the local communities***

Throughout the data collection, there were no data about negotiation by local chiefs with oil companies on behalf of the local communities in the Niger Delta.

6.7.2.4 Stage summary

- **Summary of findings on corporate governance issues in the Niger Delta**

The website findings on engagement of oil companies in dialogue with local communities show that the CSR / SD of oil companies encapsulate corporate governance policies and practices which guide them in dialogue with local communities, with the exception of Oriental Energy Resources which lacks corporate governance policies. These include maintaining cordial relationships with local communities, partnerships, communication with local communities, regular meetings with local communities, implementing agreements reached with local communities, rights of indigenous people and stakeholder engagement.

The interview findings on engagement of oil companies in dialogue with local communities can be viewed from two main perspectives. These include corporate governance issues in the Niger Delta and voice and agency. Findings for corporate governance issues in the Niger Delta on communication with local communities show that lack of communication between the oil companies and local communities is one of the factors responsible for their crises. Findings from all categories of participants also indicate that oil companies do not partner with local communities in the Niger Delta. The interview findings on regular meetings with local communities and stakeholders were mixed. A participant from Ajamimogha oil- and gas-producing community stated that the companies don't meet with them at all. The interview findings on implementation of agreements reached with local communities indicate that the oil companies don't implement agreements reached with local communities. Findings show that local communities and oil companies are often at loggerheads; even though they frequently settle their disputes, the relationship is sour.

Throughout the archival data collection, there were no data on communication with local communities on their welfare services, partnership with local communities and regular meetings with local communities. Findings on implementing agreements reached with local communities show that oil companies do not implement the agreements reached with local communities. The companies keep promising and failing to act on whatever decisions have been reached with the local communities.

- **Summary of findings on voice and agency issues in the Niger Delta**

Throughout the search on websites, there were no data on voice and agency policies and practices of oil companies in the Niger Delta.

Findings indicate that the voices of women in local communities are silenced compared to the voices of men. These were confirmed in all the local communities I visited for this study, where only men were called upon by the chairmen of the communities to attend my interviews. It was only in Ajoki (riverine oil- and gas-producing community) that the chairman of the community called on fisherwomen to explain their previous and current experiences of fish caught before and after the commencement of oil companies' operations in their communities. This was not supported by previous studies on voice and inequality along the lines of gender and feminist ethics (Sen, 1985, 1999; Majundar and Subramanian, 2001).

The interview findings on negotiation with oil companies by local chiefs on behalf of their local communities indicate that the local chiefs were banned by communities from negotiations on their behalf. Rather, a formally constituted body of executives in the communities were empowered to embark on negotiations on behalf of the local communities in the Niger Delta for the following reasons:

1. The confidence placed in local community chiefs by the communities was abused as a result of corruption by the chiefs.
2. The personal interests of the chiefs superseded the interests of the communities and, when the communities realised this, they decided to explore another approach, that of empowering the executives with such responsibilities. This is in line with previous studies which encourage community development, and resist human agency by chiefs to enhance effective participation (Sen, 1985, 1985a, 1992, ch.4).

Throughout the archival data collection, there were no data on negotiation with oil companies by local community chiefs on behalf of the local communities, in particular on CSR / SD matters. The archival findings were demonstrated when the militants kidnapped six oil company employees and a committee of elders, youths and women was set up to negotiate on behalf of the Ijaw people.

6.8 Photovoice findings and analysis on sustainable community development in local communities of the Niger Delta

6.8.1 Results on sustainable community development in local communities of the Niger Delta

This section presents the results on sustainable community development in local communities of the Niger Delta obtained from photovoice as discussed in 4.6.5 of the methodology chapter. The photovoice focused on five of the eight local communities that I visited for the fieldwork in Edo State. These include the Ughotan oil- and gas-producing community, the Gelegele oil- and gas-producing community, the Ajoki and Ajamimogha (riverine) oil- and gas-producing communities and the Owuo oil- and gas-producing community.

6.8.1.1 Ughoton oil- and gas-producing community



Figure 15: Sign board showing the name of the community (Ughoton) and the geographical location of the community within Edo State

Source: Ndajiya (2013)

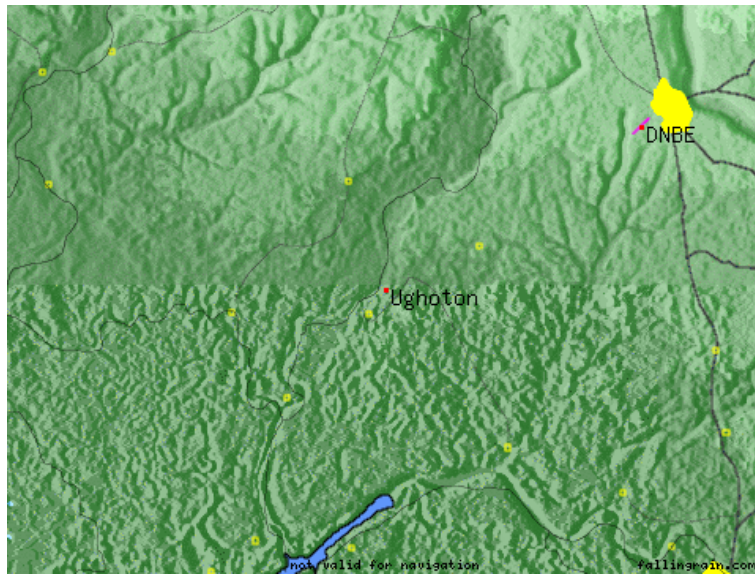


Figure 16: Map of Ughoton

Source: <http://www.fallingrain.com/world/N1/37/Ughoton.html>.



Figure 17: In a hut and interview venue at the heart of Ughoton oil- and gas-producing community. On the right is one of the executive members of the community. At the centre is the researcher, and on the left were indigenes of the community. The other people at the back were indigenes of Ughoton.

Source: Ndajiya (2013)

Photovoice findings indicate that the community is not developed, as the heart of the community looks awkward and shattered. This is opposed by data (secondary data) from Bowen (1953) on the impact of economic activity on the quality of the local community where MNOCs' operations were being held.

The photographs were taken on the morning of **3rd May, 2013**, when the researcher visited the community for fieldwork. The questions asked by the researcher pertained to the well-being and experiences of their everyday life in the community.

After I observed due protocol, I started the interviews by asking the participant:

Do your local communities in the Niger Delta engage in fishing and farming?

The interviewee responded that they do fish, but they require further support to stabilise their economic activities in the local community: *Is not increasing anyway, because of the ... is an individual fishing business. So we are doing it on our own. How I wish we have support, we would have increased [LC, UGH 29].*

I asked again:

Do your local communities have clean water?

He responded that:

No, no, no, we don't have clean water. We have been on that, even look at the borehole they gave us, we have been using the borehole for over 34 years. It is faulty now and there is nobody to repair it[LC, UGH 30].



Figure 18: Abandoned borehole drilled by the Niger Delta Development Commission and used by the Ughoton oil- and gas-producing community for the past 34 years

Source: Ndajiya (2013)

Photovoice findings show that the borehole providing portable drinking water to the community has been abandoned. This is opposed by data (secondary data) on CA's New Basic Need (NBN) idea, which centres on providing human beings, particularly the poor and the deprived, with opportunities for a full life (Streeten in Haq, 1995:6; Streeten et al., 1981; Stewart and Deneulin, 2002).

Further, I asked the respondent:

Do you have good education?

The respondent asserted that:

In this community, like the primary school there, we have one teacher, one headmaster in the whole school. So that is the only thing, one teacher, one headmaster. Probably we have been soliciting to have more teachers, but they didn't come[LC, UGH 31].

I posed another question:

Do your local communities have access to health facilities?

The respondent revealed that:

Definitely, we have a health centre, we even have a very large hospital there, but we have nobody, no nurse, no staff, no doctor or even equipment. NDDC have built that hospital for us, but no doctor, no nurse. You can even see it by that building there[LC, UGH 32].

I proceeded to ask the interviewee:

Do your communities have good roads?

He complained that: *As you can see, this is the only road we have. Even into villages, no road...[LC, UGH 33]*

In a similar direction, I raised the question:

Do your communities have good housing?

The respondent stated that they don't have good houses and their houses are the mud houses left to them as legacies by their forefathers in past decades and he stated: *No, no, no, is just our bond houses built by our forefathers*[LC, UGH 34].



Figure 19: Typical houses at Ughoton oil- and gas-producing community of Edo State in the Niger Delta

Source: Ndajiya (2013)

Photovoice findings show that the community suffers from lack of housing facilities. Findings also show that the houses available in the community are legacies left by their forefathers. The finding is opposed by data (secondary data) on New Basic Need (NBN) which centres on providing human beings, particularly the poor and the deprived, with opportunities for a full life (Bowen, 1953; Streeten in Haq, 1995:6; Streeten et al., 1981; Stewart and Deneulin, 2002).



Figure 20: Typical houses at Ughoton and exposed oil pipelines from the oil well of the Dubri Oil Company to a flow station at Gelegele, which is about 3 miles away from Ughoton

Source: Ndajiya (2013)

Photovoice findings indicate that the community suffers from environmental degradation such as open pipelines passing through places within the community from the oil wells to the flow station. This is opposed by data (secondary data) on environmental sustainability indicating that it is expected that oil companies in the Niger Delta will avoid and eliminate any negative impact on the natural environment, and contribute actively to the health of the biosphere, environmental preservation and control over the environment (Bowen, 1953; Cornelius et al., 2008; Cornelius and Wallace, 2011; Dumphy, Griffiths and Benn, 2007; Sen, 1985, 1985, 1992: ch.4; Nussbaum, 2007:78–80).

According to the respondent, there were two oil wells in the community, and one was located very close to their residence.

He confirmed that:

There are two oil wells in the community operated by Dubri Oil Company Limited and one of the oil wells was located very close to residence of the indigenes which affected us in several ways [LC, UGH 35].

Photographs of the oil well located close to the buildings of the indigenes are below:



Figure 21: An oil well located close to residences of indigenes in Ughoton by Dubri Oil Company

Source: Ndajiya (2013)



Figure 22: Full photograph of the oil well located close to residences of indigenes in Ughoton by Dubri Oil Company

Source: Ndajiya (2013)



Figure 23: Side view of the house located close to an oil well in Ughoton community

Source: Ndajiya (2013)

I went on to ask the question:

How would you describe the state of infrastructural facilities in your local communities?

The respondent explained that:

If you say I should describe them because we are in need of all those things. Even most of students now, we are now moving them to cities to go for schools. How I wish they have good school here, we will have not been bothered to take to cities. So we need a good school, good health centre and all these [LC, UGH 36].

6.8.1.2 Gelegele oil- and gas-producing community



Figure 24: Sign board at the Gelegele (Ijaw) community located at the junction to a flow station operated by Dubri Oil Company Limited

Source: Ndajiya (2013)

In the Gelegele community, I conducted an interview with an executive of the community. I asked the participant similar questions as other participants from oil-producing communities. However, I will limit the questions in this section to those corresponding to the available photographs obtained from the community in the afternoon of the **3rd May, 2013**.

During the interviews, I asked the participant:

Do your local communities engage in fishing and farming?

He responded by saying that the communities engage in fishing because they are blessed with a river and he further stated;

Yeah, we engage in fishing, we engage in farming. Because we have rivers and we have lands. So we do both fishing and farming. Our women and men, they engage in fishing and farming [LC, GLE 37].

I raised another question:

Are farming and fishing increasing or decreasing?

He stated that farming and fishing are decreasing due to pollution of the river by the activities of oil companies operating in the Niger Delta:

Eh, because of exploration of oil, the fishing activities is decreasing, and even the farming activitie is decreasing because of the flaring activities. Because the oil exploration, the mineral resources that the soil has is a kind of drying off. So that one, crops are not doing well, and the fishing activities and the spillage from petroleum products. So we find out that crude oil most especially got that, the fishing activities decreases. Sometimes you find out that some fishes do die as a result of some spillage of crude oil [LC, GLE 38].

Prominent economic activities of Gelegele people include farming and fishing. But they have abandoned farming because of the impact of gas flaring and concentrated on fishing. The photograph below shows some of the boats used by the people for transportation and catching fish from the River Niger.



Figure 25: Typical houses located very close to the river in the Gelegele oil- and gas-producing community. In-between the trees is the gas flares from the flow station located at the heart of the Gelegele community by Dubri Oil Company Limited

Source: Ndajiya (2013)

The findings from photovoice were mixed. Findings indicate that the availability of boats in the community means that fishing is one of the main economic activities of the locals. The photovoice findings indicate environmental pollution from the gas flare stationed at the heart of Gelegele community. The photovoice findings also indicate that the community lacks good road networks to link up with neighbours.

I went on to asked the participant:

Do your local communities have clean water?

He responded with an exclamatory reaction by saying that they don't have clean drinking water. They take their drinking water from the river and he asserted:

Ummh, as you can see, we don't have clean water. But as you can see, it is just now that Niger Delta Development Commission (NDDC) is just trying to put some, otherwise, we don't have. We were drinking the river water, because thank God, you can see you can see what they are doing now, is not even functional. They are just putting it in place [ILC, GLE 39].

I continued with the interviews with another question on housing:

Do your local communities have good housing facilities?

The participant responded that they don't have good housing facilities and the roofs of their houses are not good because of the impact of the gas flares from the flow station:

Yeah, as you can see, there are no good housing facilities. You can see, we have houses that sometimes do not have roofs. Even if it has, the roofs are not good because of the acid rain that is falling on top of the zinc. So we don't have housing facilities. What we have is just one room apartment, and sometimes these mould houses. That is what we have here. We don't have good housing facilities here [LC, GLE 40].



Figure 26: Typical houses of indigenes located along the road to the flow station operated by Dubri Oil Company in the Gelegele community

Source: Ndajiya (2013)

Photovoice findings indicate that the community possesses a poor standard of housing facilities.

Similarly, I asked the participant:

Do your local communities have access to health facilities?

The respondent stated that there is one health centre but the nurse is not always around and there are no doctors, drugs or equipment, and it is locked up. So when they fall sick, they go instead to the hospital in Benin City, and, at times, the patients die on their way to Benin:

No, no, there is one primary health care centre there, but is not functional. If you go there now, there are no drugs; the nurses are not even around. For you

to know, you can even walk down there, you will see, you will find out that the nurse, she is not even around. And the place is locked up, there are no drugs, there are nothing, no incentives, nothing, we don't have. So if we have patient, we have to take them, some of us if they felt sick, we have to go to Benin. Benin is the place that we go and may be sometimes before we get there, the person is dead [LC, GLE 41].

Also, I proceeded to ask the question:

Who built the health centre?

The respondent revealed that the health centre was built by the Dubri Oil Company.



Figure 27: Locked and abandoned health centre built by the Dubri Oil Company Limited, without doctors or equipment

Source: Ndajiya (2013)

The photovoice findings show that the community health centre is not functional and therefore poses health challenges to local inhabitants. This is opposed by data

(secondary data) on bodily health, which means having good health, including reproductive health (Sen, 1984:497; Clark, 2002, table 3.1; Nussbaum, 2007:78–80).

6.8.1.3 Ajoki (Itsekiri) Riverine oil- and gas-producing community

The photograph below shows the researcher and some indigenes of Ajoki travelling through Koko River by boat from Koko to Ajoki and Ajamimogha on the **4th May, 2013**, because of the lack of an accessible road to the communities. Koko town is located to the south-east with a distance of 2.2miles by boat to Ajoki (West), which takes 50–55 minutes.



Figure 28: The researcher travelling from Koko port to Ajoki riverine oil-and-gas community. In the front is the researcher. Right behind the researcher is a female indigene of Ajoki. To the left of her, behind the researcher, is the researcher's driver. Behind the researcher's driver is one of the boat drivers

Source: Ndajiya (2013)

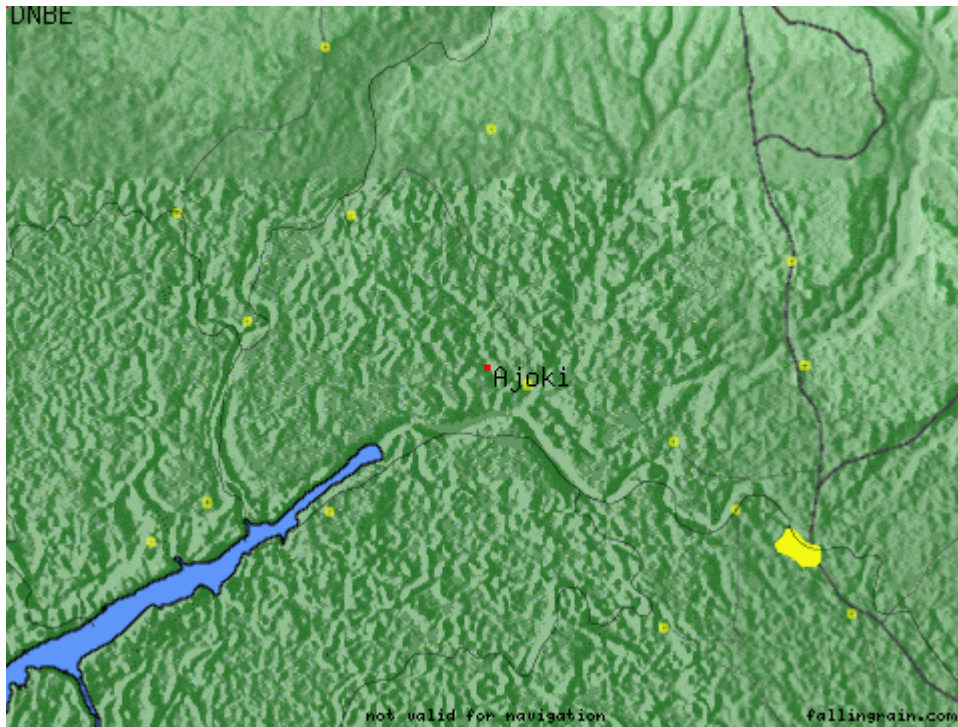


Figure 29: Map of Ajoki community

Source: Google Maps (2014)



Figure 30: The researcher arriving at Ajoki River Port

Source: Ndajiya (2013)

Findings from the photographs and map indicate that the communities cannot be accessed by any means of transportation other than the conventional boat. Findings also indicate that the communities were deprived of freedom of movement to and from their localities. This is opposed by data (secondary data) on human rights and human security (Sen, 1985, 1999; Majundar and Subramanian, 2001) and on bodily integrity of being able to move freely from place to place (Nussbaum, 2007:78–80).



Figure 31: The researcher at the heart of Ajoki community. On the right is an indigene of the community; next right is the chairman of the community. At the centre is the researcher conducting an interview with a participant. The others are indigenes of the community

Source: Ndajiya (2013)

Findings from the photographs indicate that the community is not developed at all, and lacks basic infrastructure to enhance the well-being of members of the local community. As with other communities, during the interviews with the participants I asked some questions concerning their experiences about their daily life in the community, beginning with economic activities.

Do your local communities in the Niger Delta engage in fishing and farming?

The respondent replied that their major occupations include farming and fishing:

Yes, our major occupation is fishing and farming [LC, AJO 42]

I proceeded to ask again:

Are farming and fishing increasing or decreasing?

He answered that farming and fishing by locals are decreasing because of use of chemicals in exploration by the oil companies:

Because of the environment we are, the oil companies are exploring, and in process of exploring, they are bringing some chemicals and spoiling all those things and diminishing our soil. And the oil, we have so many crude in the water, so that scare away fishes, and those activities are affecting the economy in the environment [LC, AJO 43].



Figure 32: At Ajoki, participants explaining fishing economy to the researcher. On the right is an indigene of the community; next is the chairman of the community, followed by the researcher. Next are indigenes from one of the oil- and gas-producing communities, and fisherwomen explaining to the researcher that oil pollution is drastically affecting their economic activities in the communities

Source: Ndajiya (2013)

Findings indicate that pollution of rivers as a result of exploration and production activities of oil companies has affected the fishing and farming economy of the communities, which is their only means of livelihood. This is opposed to data (secondary data) on basic capabilities and grounds for moral concern, such as regarding the right to be adequately nourished (Nussbaum, 2007:78–80; 2000:84–86) and regarding Sen's concept of economic growth (Sen, 1985, 1999; Majundar and Subramanian, 2001).

Findings in all the communities I visited for the fieldwork also indicate that the voices of women are silenced. It was only in the Ajoki community that fisherwomen were called upon on their way back from the river to express their views on the latest fishing activities within the community. This therefore implies that the voices of women in other communities are weak, less strong than the voices of men. This is opposed to data (secondary data) on feminist ethics (Burton and Dunn, 1996; Sen, 1985).

6.8.1.4 Ajamimogha (Itsekiri) riverine oil- and gas-producing community



Figure 33: The researcher on his way back from Ajoki to Ajamimogha for data collection



Figure 34: Photograph of the Ajamimogha oil- and gas-producing community, taken on approach

Source: Ndajiya (2013)

Ajamimogha community is located to the west, not far from Ajoki, with a distance of 1.1miles, about 20–25 minutes by boat.

Findings from the photovoice process indicate the lack of an accessible road to the community.



Figure 35: The researcher in the living room of the local chief of Ajamimogha oil- and gas-producing community. On the right is the son of the local chief; next is the local chief, followed by the researcher. In front of the researcher is the researcher's community liaison person and on the left is an indigene of Ajamimogha.

Source: Ndajiya (2013)



Figure 36: The researcher at the compound of the local community chief in Ajamimogha. First at the right is the son of the local community chief; second right is the researcher's community liaison man. In the middle is the researcher; first and second left are indigenes of the community

Source: Ndajiya (2013)

The photovoice findings indicate that the locals are subjected to abject poverty and lack basic necessities to live normal life. This is opposed by data (secondary data) in the capability approach (CA) on poverty and well-being (Sen, 1993:31–32, 40–42; Balestrino, 1996; Chiapper Martineti, 1994, 1996, 2000; Clark and Qizilbash, 2002, 2005; Klasen, 1997, 2000; Majundar and Subramanian, 2001; Sen, 1992, 1999).

During my visit to the community, one of the questions I asked is:

Does the operation of the oil companies affect the freedom to life such as the movement of your local communities in the Niger Delta?

Oh, yes exactly. The movement of our people? Is only those people, the little ones that have casual work this thing. That is the only access they have. But we don't have road to link us to Koko. Our children they take boat to Koko for schooling [LC, AJA 44].

6.8.1.5 Owuo oil- and gas-producing community



Figure 37: Sign board of Owuo oil- and gas-producing community

Source: Ndajiya (2013)



Figure 38: The researcher in the living room of the local chief at Owuo oil- and gas-producing community. First and second right: indigenes of Owuo. In the middle is the local chief, in front of the local chief is the researcher and first from left is the son of the local community chief.

Source: Ndajiya (2013)

The photos were taken during the researcher's visit to Owuo oil- and gas-producing community for fieldwork on the **5th April, 2013**.

The photovoice findings indicate that the locals are extremely poor with a very low standard of living and quality of life in the community. This is opposed to data (secondary data) on the normative framework of being able to live a full life – “*latu sensu*”, the well-being of persons (Sen, 1993:31–32, 40–42; Balestrino, 1996; Chiapper Martineti, 1994, 1996, 2000; Clark & Qizilbash, 2002, 2005; Klasen, 1997, 2000; Majundar & Subramanian, 2001; Sen, 1992, 1999).

Summary of roles per category and summary of participants per category

Summary of number of roles per category

| S.N | Codes of Categories | Number of roles |
|-----|------------------------------|-----------------|
| 1. | MNOC | 7 |
| 2. | LC | 44 |
| 3. | EA | 3 |
| 4. | DA | 6 |
| 5. | NGO's | 3 |
| 6. | GR | 3 |
| | Total number of roles | 66 |

Summary of interviews participants per category

| S.N | Categories | Number of interviews |
|-----|--|----------------------|
| 1. | Oil Companies | 8 |
| 2. | Local Communities | 8 |
| 3. | Environmental Agencies | 3 |
| 4. | Development Agencies | 4 |
| 5. | Non-Governmental Organisations | 5 |
| 6. | Government Representatives in Oil & Gas Sector | 3 |
| | Other stakeholders | 9 |
| | Total number of interviews | 40 |

6.8.1.6 Summary of findings

Findings on sustainable community development show that, since the imperial era of the Royal Niger Company in 1884, when the company imposed protection treaties and committed atrocities to monopolise commercial activities of the natives, their legacy has been built upon by modern corporations operating in the Niger Delta to relegate, downgrade, neglect and marginalise, and refuse to give back to, local communities. Findings show that there has been no development in local communities since the

regime of the RNC to date. The communities remained undeveloped with no access to the basic necessities of life.

This study finds that, in some of the oil- and gas-producing communities where the flow stations of the oil companies were located, there are camps where the staff of the oil companies reside. At the camps, all basic facilities are made available for the comfort of the staff, such as water, electricity, good health facilities with qualified doctors and nurses, satellite facilities, perfect communication networks and roads to the flow station, among others, to the detriment of the immediate communities where exploration and production are being carried out.

Findings from the five local communities visited by the researcher show that the economic activities (farming and fishing) of the communities are tremendously affected by pollution and gas flaring from the activities of oil companies. Findings indicate that the community lacks basic social amenities such as water, roads, health facilities including drugs, equipment and health personnel (doctors and nurses). Findings also indicate that the communities have been environmentally degraded by the oil companies. For the riverine oil- and gas-producing communities, findings indicate absolute inaccessibility and restriction of movement – movement is possible only by water transportation – thus depriving the locals of freedom of movement from the communities to other localities.

Table 1 Summary of emerged themes and themes analysed in this study

| Data | Emergед themes | Themes analysed based on clusters |
|-------------------------------------|-------------------------|--|
| 1. Websites | 26 | 15 |
| 2. Interviews | 32 | 27 |
| 3. Archival | 38 | 28 |
| 4. Observation (emic/etic) | EN6, CSR/SD3 (In above) | In EN, CSR/SD & SCD |

| | | |
|----------------|-------------------------|----|
| 5. Photovoice | EN6, CSR/SD3 (In above) | „ |
| 6. Field notes | EN6, CSR/SD3 (In above) | „ |
| TOTAL | 96 | 70 |

Source: Ndajiya (2014)

Table 2 Summary of codes and numbers of themes analysed in this study

| Data | Codes and numbers of themes analysed based on clusters | |
|-------------------------------|---|----|
| 1. Websites | EN1,EMP2,ET3,S0,LEG1,HR1,RUG1,CC1,CSR/SD3,GOV2 | 15 |
| 2. Interviews | EN3,EMP2,ET1,SO3,LEG1,HR5,RUG3,CC1,CSR/SD3,GOV4,V&A1 | 27 |
| 3. Archival | EN3,EMP2,ET3,LEG1,HR5,RUG1,CC1,CSR/SD3,GOV4,V&A1 | 28 |
| 4. Observation (emic/etic) | EN6, CSR/SD3 & SCD (In EN & CSR/SD) | 0 |
| 5. Photovoice | EN6, SCD3 (In EN & CSR/SD) | 0 |
| 6. Field notes | EN6,SCD3 (In EN & CSR/SD) | 0 |
| TOTAL | | 70 |

Source: Ndajiya (2014)

Table 3 Summary of new themes

| Data | New themes | Total |
|-------------|--|--------------|
| Interviews | Social, Ruggie's framework, voice and agency | 3 |

Source: Ndajiya (2014)

KEY

EN = Environmental policies and practices

EMP = Employment policies and practices

ET = Ethics codes

LEG = Legal policies and practices

H/R = Human rights policies and practices

RUG = Ruggie's framework

CG = Corporate citizenship policies and practices

CSR/SD = CSR/SD policies and practices

CG = Corporate governance policies and practices

INF = Infrastructural policies and practices

Summary of number of roles per category

| S.N | Codes of Categories | Number of roles |
|-----|------------------------------|-----------------|
| 1. | MNOC | 7 |
| 2. | LC | 44 |
| 3. | EA | 3 |
| 4. | DA | 6 |
| 5. | NGO's | 3 |
| 6. | GR | 3 |
| | Total number of roles | 66 |

Summary of interviews participants per category

| S.N | Categories | Number of interviews |
|-----|--|----------------------|
| 1. | Oil Companies | 8 |
| 2. | Local Communities | 8 |
| 3. | Environmental Agencies | 3 |
| 4. | Development Agencies | 4 |
| 5. | Non-Governmental Organisations | 5 |
| 6. | Government Representatives in Oil & Gas Sector | 3 |
| | Other stakeholders | 9 |
| | Total number of interviews | 40 |

6.8.2 Critical discussion (knowledge gaps)

The research gaps

To identify the research gaps for this study, I reviewed relevant literature and operationalised the research questions. I conducted four pilot studies and necessary amendments were made by my supervisors (refer to fieldwork report) before I

proceeded to the fieldwork. In the field, I interviewed 40 participants and collected archival documents. After the fieldwork, the interviews were transcribed and analysed using the grounded theory approach (Charmaz, 2006) to arrive at the current themes. Also, for archival documents, media document analysis and constant comparative methods were explored to arrive at the current themes. Finally, websites of the oil companies were accessed to obtain CSR and SD policies and practices. With these, I explored website-based content analysis to arrive at the present themes as shown below.

Results (New findings)

The new CSR challenges identified in interviews with communities are: Social issues, Ruggie's 2010/2011 framework and voice and agency issues which were not addressed in the websites/interviews with oil companies.

| | Environment | Employment | Ethics | Social | Legal | Human Rights | Ruggie Framework | Corporate Citizenship | CSR/SD | Governance | Voice & Agency | Infrastructure |
|--|-------------|------------|--------|--------|-------|--------------|------------------|-----------------------|--------|------------|----------------|----------------|
| Interviews with Communities Stakeholders | ■ | ■ | ■ | + | ■ | ■ | + | ■ | ■ | ■ | + | ■ |
| Archival Docs | ■ | ■ | ■ | * | ■ | ■ | * | ■ | ■ | ■ | * | ■ |
| Websites/ Interviews with oil companies | ■ | ■ | ■ | - | ■ | ■ | - | ■ | ■ | ■ | - | ■ |

From the preceding table, there were 12 themes altogether and three categories of data comprising interviews with communities/stakeholder, archival documents and websites/ interviews with oil companies. Find key below for interpretation of the results.

+ CSR challenges not addressed by oil companies' interviews/websites.

- * CSR challenges not addressed by oil companies's interviews/websites but slightly pointed out in archival documents.
- CSR challenges claimed to have been fully addressed by oil companies' interviews/websites but contradict with findings of interviews with communities/stakeholders and archival documents.

6.8.3 Reflections on the overall results of the study

The empirical evidence from this study suggests that the CSR and SD policies and practices of oil companies do not address more novel challenges (social, Ruggie's framework, voice and agency); and even the environmental, ethical, legal, sustainable infrastructure, employment, corporate citizenship, human rights and governance themes that oil companies operating in the Niger Delta claim to have addressed in local communities contradicted the findings of this study. This therefore means that Bowen's (1953) fundamental pillars for measuring the effectiveness of CSR of MNOCs were not met by oil companies. Theoretically, Sen's (1980, 1984, 1985, 1987, 1992, 1997) CA, explored in this study as a platform for assessing the *latu sensu* (well-being) of people to be what they want to be, and do, and to provide full life opportunities for rights and freedom for people especially communities, was not met. Ruggie's (2010/2011) frameworks of protection, respect and access to remedy for communities were also not met. For these reasons, it can be deduced that the challenges of CSR and SD in the Niger Delta were not addressed by the MNOCs. The gaps revealed that the oil companies do not recognise / consider the voice of the Niger Delta communities. These unethical behaviours of oil companies in local communities of the Niger Delta are not only drawn out by the research question *do the oil companies engage in dialogue with local communities regarding activities that are taking place and / or impact local communities?* but are also in line with the study's observations in the communities,

which tally with Gramsci's (1891–1937) views on the subaltern covered in the methodology of the study, that the local communities of the Niger Delta were excluded by the oil companies / Nigerian government from participating in the decision-making process on issues that affect their well-being simply because of greed propelled by the profit motive, causing oil companies to disregard the local communities and effective business ethics.

The next chapter will focus on discussion, conclusion and recommendations.

7 CHAPTER SEVEN: Discussion, conclusion and recommendations

7.1 Introduction

This chapter presents discussion of findings of the current research on corporate social responsibility in multinational oil companies and the impact on sustainable development in the Niger Delta. The chapter also presents the theoretical, empirical and methodological contributions of the study, limitations of the study and suggestions for future research directions. Finally, the chapter suggests recommendations for policymakers (the Nigerian government), MNOCs operating in the Niger Delta and local communities in the Niger Delta.

The study systematically provides answers to the research questions using propositions derived from the six stages stressed in the study framework. However, the answer to the first research question is found in chapter three section 3.2 (presenting Nigeria in context and an overview and general description of the Federal Republic of Nigeria under oil and the Nigerian environment).

7.2 Research question one

What impact do the operations of the oil companies in the Niger Delta region have on the ecology of the local environment?

Research question one provides awareness on the impact of oil companies' operations on the ecology of the local environment in the Niger Delta. It therefore implies that the answers to the research question can be found within the findings that focused on impact of oil companies' operations on the ecology of the local environment in the Niger Delta. The answers to the question were obtained from websites, interviews, archival and secondary data.

Findings from websites on environmental policies and practices of oil companies operating in the Niger Delta indicate that CSR and SD exist in the Niger Delta and the oil companies possess environmental policies and practices. Findings also show that the environmental policies and practices of the oil companies in the Niger Delta addressed challenges of climate change, health, safety and environment, gas flaring, greenhouse gas emissions, biodiversity, water management, preventing spills, cleaner air, remediation, energy efficiency, ecosystem services and fresh water management. There were no previous studies in support of these claims by oil companies; rather, the claims by oil companies to have sufficiently addressed the environmental issues in the Niger Delta were debunked in archival, interview and secondary data. Therefore, it cannot be concluded that the operations of oil companies do not impact negatively on ecology of the environment of local communities. More so, it can be deduced that there is a significant relationship between the findings on effects of oil exploration in local communities, such as causes of oil spills, effects of oil spills, responding to oil spills, gas flaring and water pollution, and the overall impact of operations of oil companies' operations on the ecology of the local environment.

These findings were underpinned by the present study which showed that, in spite of environmental policies in place by oil companies, their operations impact negatively on the ecology of the environment as a result of oil spills, gas flares, pollution of water, air and land and delay in responding to oil spills.

Local communities in the Niger Delta are suffering from operations of oil companies due to oil spills / leakages, gas flaring, delay in responding to oil spills, pollution of water, air and land.

The propositions were accepted based on the answers to the formulated research questions above. Therefore, it can be deduced that oils spills / leakages, gas flaring, water, land pollution and delay in responding to oil spills / leakages are some of the

impact that result from operation of oil companies in local communities of the Niger Delta.

Findings from this section reflect incessant protest by the local communities and concerned stakeholders about the negative impacts of oil company operations on the ecology of the local environment. It is paramount to state that interview and archival findings on this question are headed in the same direction whilst contradicting the website findings; for example, both interviews and archival findings confirmed that oil exploration from the operations of oil companies in the Niger Delta impact negatively on the ecology of the environment. Element of the impact include degradation and pollution of water, air and land. This finding confirms previous studies on environmental degradation by oil companies including pollution of water, land and air (Mandula and Blockstein, 1992; Jaiyemisi and Thomas- Pugh, 1994; Ezeanyim and Okereke, 1995; Ogri, 2001; Mara and Presend, 2001; Ainoo et al., 2009; Annegan and Ololade, 2013). The findings also opposed previous studies (Tutu, 1999:3–35; Tutu, 2000:25–26; Luhabe, 2002:103; Mandela, 2006: XXX; Khoza, 2006:6; Moloketi, 2009:243) on *Ubuntu* which means that the oil companies' operations do not provide for compassion, reciprocity, dignity, mutuality and interest in togetherness with common justice and caring for local communities. The operational impact of oil companies on the ecology of the local environment, especially on destruction of about 70% of forests, mangrove forests, and biodiversity decimation. Between 12% and 17% loss in plants, mammals and species of bird; over 4600 plant species with almost 205 are endemic and 112 families threatened with extinction were underpinned by previous studies (WRI, 1992; Salau, 1993; Bisong, 2001).

One of the findings uncovered by this study is that oil companies do not respond quickly when oil spills or oil leakages occur in local communities. In this regard, further studies are needed to identify the underlying reasons for their delays.

This study also confirmed that gas flaring from operations of oil companies has a severe impact on the ecology of the environment, ranging from impact on economic activities such as farming and fishing, cancer, to liver and other health challenges, and premature death of the locals. Previous studies by Umobong and Micah (2013) supported the assertion that the operations of oil companies impact on communities residing near the exploration and production locations of oil companies.

7.3 Research question two

What is the overall impact of oil company operations on employment and employment patterns in the Niger Delta?

The answer to this research question is found within the findings related to overall impact of oil company operations on employment and employment patterns in the Niger Delta. The answers to the research question were obtained from findings on employment issues in the Niger Delta. These answers were found in the websites of oil companies, interviews, and archival and secondary data.

The findings on employment from the website content analysis were mixed. This is because findings show that the CSR and SD policies and practices of oil companies include employment for the locals and equal opportunity for jobs. However, findings show that oil companies such as the Pan Ocean Oil Corporation, Agip and Shell leave their employment policies and practices blank on their website sections on employment (refer to appendix D), which means that the companies are not keen on employment of locals and do not care about equal opportunities for jobs. Findings related to employment of locals by Shell in the Niger Delta were evident in previous studies by Tuodolo (2009), which indicated that Shell Petroleum Development Company Limited provided jobs to local communities in the Niger Delta. The findings also indicate that other oil companies such as NPDC, DOCL, Chevron, TOTAL, Oriental Energy and Mobil clearly stipulated their employment policies to include equal opportunities for

jobs without any discrimination (refer to appendix D). Previous studies on material on the right to seek employment on an equal basis with others support the findings (Sen, 1985, 1985a, 1992, ch.4; Gagnon and Cornelius, 1999; Spilinerbergo et al., 1999; UN, 2000; World Bank, 2001:55; Cornelius, 2002; Cornelius and Gagnon, 2004; Cornelius and Skinner, 2005, 2007; Nussbaum, 2007:78–80).

Findings for interview and archival data tend in the same direction, which is in sharp contrast with oil companies' online CSR / SD policies and practices. Findings indicate that oil companies do not provide sufficient employment to indigenes of local communities in the Niger Delta. Findings support the assertion that oil wealth in Nigeria since the 1970s has caused unemployment for the vast majority of the Nigerian population resulting in Dutch Disease, as found in previous studies (Karl, 2007; Corden and Neary, 1982; Neary and van Wijnbergen, 1986; Sachs and Warner, 2001; UNDP, 2002). The findings also indicate that some of the companies that provide jobs to local communities were more concerned with either casual jobs or unskilled jobs such as labourers, gardeners and security personnel. This is confirmed by the finding that local communities do not benefit from employment opportunities of oil companies; and that fewer than 5% of Nigerians in the Niger Delta were employed, and fewer than 1% of women from the Niger Delta were employed and over 95% of employees working with oil companies were not Nigerian citizens (Brisibe, 2001).

On equal opportunity, this study has learned from all categories of participants that the oil companies do not provide equal opportunity at all. Findings from another participant indicate that they prioritised some communities more than others, especially communities where oil has just been discovered and the oil companies are yet to gain full access to the community. The present study was underpinned by previous studies on material on the right to seek employment on an equal basis with others (Sen, 1985, 1985a, 1992, ch.4; Gagnon and Cornelius, 1999; Learner et al., 1999; UN, 2000;

Cornelius, 2002; Cornelius and Gagnon, 2004; Cornelius and Skinner, 2005, 2007; Nussbaum, 2007:78–80). Further studies are needed to identify the underlying reasons why oil companies focus on unskilled, casual and contract jobs for the local communities.

The findings corroborated by the existing literature indicate that only a few of the local communities were employed by oil companies on casual contracts for unskilled jobs such as gardeners, security personnel and cleaners, and on an unequal basis.

Local communities in the Niger Delta are faced with challenges of unemployment and inequality by oil companies.

The acceptance of the proposition above was based on the answers to the formulated research question above. As such, unemployment and inequality is the overall impact of oil company operation on employment and employment patterns in the Niger Delta.

7.4 Research question three

What is the overall impact of oil company operations on community life in the Niger Delta?

The answer to this research question is found within the findings that focus on this question. The findings were concerned with the overall impact of oil company operations on community life in the Niger Delta. The data to answer the research question were obtained from findings on ethical issues in the Niger Delta consisting of social issues in the Niger Delta, legal issues in the Niger Delta, human rights issues in the Niger Delta and compliance with Ruggie's frameworks in the Niger Delta. The data to answer the research questions were found in the websites of oil companies, interviews, and archival and secondary data.

(i) *Ethical issues in the Niger Delta*

Website results show that oil companies fully engaged in minimisation of their operational impact on local communities, especially on pollution, through the use of health and safety. The results also show that the oil companies have respect for the individual and, finally, support for CSR and sustainability. However, the CSR and SD policies and practices of oil companies in the Niger Delta do not address the ethical challenges of payment of compensation to local communities, oil companies' accusation of criminal tendencies on local communities, and their profit motive as a factor responsible for all sorts of unethical behaviours in local communities of the Niger Delta.

Findings from all categories of participants show that the profit motive is responsible for oil companies' unethical practices in local communities of the Niger Delta. This was underpinned in previous studies on the North–South model (Horwitz, 1972), the history of business warfare between the RNC and the indigenes of Niger, Oil Rivers, Benue and Hausa States, and the beginning of corporate social irresponsibility in Nigeria (Ndajiya, 2014), and other studies in support of the profit motive of oil companies as a factor responsible for their unethical practices in the communities where they operate (Friedman, 1970; McPhee, 1971; Paul and Barbato, 1985; Macdonald, 2010).

The interviews and archival findings on ethical issues in the Niger Delta corresponded. Findings on payment of compensation to local communities indicate that the oil companies do not pay compensation unless they are compelled to by the government or by protest from communities. The compensation challenges blatantly left unaddressed by oil companies in the local communities of the Niger Delta were corroborated in previous studies (Des Jardins, 1990; Kapelius, 2002; Gibson, 2006; Smith, 2012) indicating that *business has a responsibility not to intentionally or negligently cause*

harm to others; but, when such harms occur, business has a responsibility to compensate individuals who are harmed by its negligence. Further study is required in this area to identify why it is always difficult for the oil companies to pay compensation for damages that result from their operations in local communities of the Niger Delta.

Social issues in the Niger Delta

Oil companies' online CSR and SD policies and practices did not reflect anything on social issues in local communities of the Niger Delta. This implies a wider gap in the formulation of CSR and SD in oil companies' policies and practices, which are part of the key challenges in the Niger Delta. Therefore, there is a need for further studies in the areas of marginalisation of local communities, neglect of local communities, deprivation of local communities, brutality and intimidation of oil communities and war and insecurity in local communities of the Niger Delta to find out the reasons for these and how to address them.

The interviews and archival findings on social issues correspond. Findings on marginalisation show that the local communities in the Niger Delta were not only marginalised but deprived of their livelihood and fundamental rights by oil companies operating in the Niger Delta. These assertions are underpinned by previous studies in subaltern or postcolonial theory (Gramsci, 1891–1937; Guha et al., 1982; Spivak, 1988; Alik Shahaddah, 2007; Hall, 2007; Lawson, 2007; Said, 2007) with a focus on social groups such as local communities in the Niger Delta that were excluded from participating in decision-making processes on their rights and denied a voice in their communities, specifically by oil companies in collaboration with the Nigerian government. Findings suggest that local communities have been neglected by oil companies in the Niger Delta and the Nigerian government is insensitive to these

challenges posed to local communities (UN, 2002; UNDP, 2006). Also noted in previous studies by Naanen (1995:48) is the struggle by the local communities in the Niger Delta against the perceived act of internal colonialism.

This study finds that the local communities in the Niger Delta were deprived of access to the basic necessities of life in the Niger Delta. The deprivation of communities' access to the basic necessities of life was evident in a previous study of the United Nations Development Programmes (UNDP, 2002) indicating that the Niger Delta suffers administrative neglect, crumbling social infrastructure and services, high unemployment and social deprivation, abject poverty, filth and squalor and endemic conflict.

Findings show that oil companies were found to be using the Nigerian security forces to brutalise and intimidate the local communities. Findings related to brutality and intimidation by oil companies were found in the conclusion aspect of history of the business warfare between the Royal Niger Company (RNC) and indigenes of Niger, Oil Rivers, Benue and Hausa States (Ndajiya, 2014) where the RNC brutalised the indigenes through demonstration of Machiavellian strategies to monopolise the commercial activities of indigenes and laid the foundation for corporate social irresponsibility for modern corporations operating in the Niger Delta. Findings on war and insecurity indicate that the communities have been exposed to incessant wars between the local communities and oil companies, and wars among communities caused by oil companies. The findings are not different from a previous study (Ndajiya, 2014) of the history of business warfare between the RNC and indigenes of Niger, Benue, Oil Rivers and Hausa States and the foundation of corporate social irresponsibility in Nigeria where hitherto the RNC exposed the indigenes to war to monopolise commercial activities in the areas for profit. Other previous studies on war in the Niger

Delta include Colier and Hoefler (1988), Elbadawi and Sambanis (2000), Corlier and Hoefler (2001), de Soysa (2002), Fearon and Latin (2003), Hamilton et al. (2004) and Renner (2005).

(ii) *Legal issues in the Niger Delta*

The website findings show that the CSR and SD of oil companies in the Niger Delta include legal policies and practices which imply that the oil companies have addressed legal challenges and strictly abide by law. Findings from the websites indicate that all the oil companies except Pan Ocean and Oriental Energy Resources comply with the international regulations and host country's regulatory frameworks including the local law. These findings from the oil companies' online CSR and SD policies and practices were, however, dismissed by previous studies (Portman & Seidler, 2002; Shaw, 2003; Ecowas Court, 2010) indicating that MNOCs are difficult to deal with, and the international laws are too flexible and in most cases are very hard to implement, especially concerning violations of human rights.

This study uncovered from the previous studies the main reasons why, they allege, it has been very difficult for the Nigerian government to hold oil companies accountable; these reasons stem from the suggestion that the laws guiding the operations of oil companies in Nigeria are very weak. This is not true; Nigerian law derives from British law and is therefore very strong. According to Bowen (1953), oil companies keep strong ties with government to take advantage of opportunities to influence public policies and to protect their interests and businesses in all respects.

Findings from interviews and archival data were inseparable. Findings show that oil companies operating in the Niger Delta are yet to be held accountable for their crimes in local communities.

(iii) *Human rights issues in the Niger Delta*

Website findings on oil companies' CSR and SD policies and practices show that not all the oil companies were committed to human rights compliance. Of the IOCs, only Afren Global Resources provided for human rights policies and practices on its website. Others such as NPDC, DOCL, POOCN and Oriental Energy Resources were silent about human rights issues. Of the MNOCs, Shell was silent about human rights. Agip, Mobil and TOTAL were not silent. The human rights policies and practices of the few oil companies that were not silent indicate compliance with the 1947 Universal Declaration of Human Rights and do not sufficiently address human rights issues in the Niger Delta. These were underpinned in other studies (Human Rights Watch, 1999; Spar, 1999; Ijasz-Vasquez and Litvin, 2003; Ruggie, 2008; Nazi, 2011; ICJ, 2012; Lopez, 2012; Maplecroft Human Rights Risk Atlas, 2012; Maplecroft Global Map of Human Risk Index, 2012; Mint Press, 2012) indicating that the complicity in human rights abuses by MNOCs is alarming and the state of human rights is declining, including labour standards such as working conditions, wages and employment in emerging economies including Nigeria.

This study finds that the CSR and SD policies and practices of oil companies operating in the Niger Delta do not address human rights issues, especially movement in local communities, and the causes of conflict between them and local communities and between communities. Therefore, there is the need for further study in these areas to address the challenges.

The twin findings of the interviews and archival data show clearly that the operations of oil companies in the Niger Delta affect farming and fishing as a result of pollution, oil spills, and gas flares among other challenges. Prominent impacts of oil companies' operations on farming and fishing activities of the locals were demonstrated in previous studies (Ewusie, 1980; Ezeanyin and Okereke, 1995; Amnesty International, 2004) indicating that, apart from oil spillages, oil leakages damaged and polluted the soil,

farmland and mangrove swamps which has resulted in loss of economic activities such as farming and fishing, which affects the livelihood of the inhabitants of local communities.

Findings show that movements of the local communities are restricted in the communities because some areas are barricaded with signposts saying *movement in this area is strictly restricted*. In some communities, such as the riverine areas, movement is restricted to water transportation by boats. But the CSR and SD policies and practices of oil companies do not address these challenges and no previous studies were found on the subject matter. Therefore, there is the need for further study in this area to ascertain why movement of the locals are restricted.

Findings were mixed as far as findings on conflicts between the local communities were concerned. First, there is the issue of claims to ownership of oil wells. Second, the oil companies use divide and rule tactics to cause confusion between the local communities to their own advantage. These findings were fully supported in previous studies (Collier & Hoefler, 1998, 2001; Human Rights Watch, 1999; Mack, 2000; Fearon and Latin, 2003) indicating that there is an absolute possibility of risk of war, conflict, and tension between communities in nations endowed with oil resources.

Findings on conflict between the oil companies and local communities show that conflicts between the local communities and oil companies occur on a daily basis. This study uncovered four major causes of conflicts between the oil companies and local communities. First, non-payment of compensation by oil companies to local communities. Second, failure of oil companies' operational equipment which leads to leakages and spills within the communities, and communities are provoked due to lack of sustainable development in their communities by oil companies in the Niger Delta. Conflicts between the oil companies and local communities were demonstrated in

previous studies (UNCTAD, 2003:104–105) where Chevron Texaco in Ecuador was sued by indigenous Amazon rainforest people for environmental degradation.

Findings on poverty indicate that the local communities of the Niger Delta are subjected to abject poverty as a result of the oil exploration and production activities of oil companies in the Niger Delta. These thoughts about poverty in the Niger Delta were corroborated in previous studies (UN, 2000; UNDP, 2002; Ross, 2003; UNDP, 2004; Ekenedirichukwu, 2011) indicating that the Niger Delta is suffering from abject poverty, impoverishment, and inadequate standard of living such as in terms of the right to food and water, and 90% of the rural poor fall below the conventional poverty line (\$1 per day).

(iv) Compliance with Ruggie's (2010/2011) frameworks in the Niger Delta

Findings indicate that the Nigerian government refuses to explore international best practice and does not comply with Ruggie's frameworks of state duty to protect, respect and allow access to remedy by victims of human rights abuses by oil companies and other businesses. Findings from online CSR and SD policies and practices of oil companies in the Niger Delta show that the IOCs and MNOCs were not concerned about Ruggie's frameworks and, therefore, these did not appear on their websites, with the exception of Agip which made statements and showed allegiance to the frameworks on its website (refer to appendix D). However, findings from a participant in a development agency working directly with the UN revealed that the Nigerian government is not doing enough to protect the citizens from the unethical practices of oil companies in the local communities of the Niger Delta. The participant averred that access to remedy by victims of human rights abuses of oil companies in the Niger Delta was very limited. The participant proceeded to state that the oil companies were rather keener to protect their own employees than the local communities. The findings from

the three categories of participants indicate that oil companies in the Niger Delta neither respect the human rights of the local communities sufficiently to avoid harming the communities nor comply with federal, state or local laws, and some of the oil companies are not even aware of the frameworks. The protection and respect of the rights of citizens by business and access to remedy were underpinned in previous studies (UN, 2000; UN, 2008a, para.9; UNHCHR, 2007; Ruggie, 2008, 2011; A/HRC/11/13:3–23; Cemic, 2012). Further, previous studies (Abimbola, 1975:393; Abiodun, 1983:14; Ali, 1997; Kazeem, 2009) on *Iteriba in Omoluwabi* have condemned oil companies's lack of respect for human rights and local communities.

These findings were supported by the present study, which showed that the operations of companies impact on community life in the Niger Delta due to oil companies' failure to address ethical, social, legal and human rights concerns and Ruggie's framework challenges.

Neglect of the ethical dimension, and social, legal and human rights concerns and compliance with Ruggie's framework by oil companies posed challenges for community life in the Niger Delta.

The propositions were accepted based on the answers to the formulated research questions above. Therefore, this implies that ethical, social, legal and human rights concerns and Ruggie's framework challenges are factors responsible for the overall impact of oil companies' operations on community life.

7.5 Research question four

Are the oil companies investing in sustainable infrastructure that benefits the local communities?

This question pertained to whether or not oil companies are investing in sustainable infrastructure that benefits the local communities in the Niger Delta. Oil companies' online CSR and SD indicate opposite findings – that the oil companies' corporate

citizenship policies and practices encapsulate some aspects of education and health, which form sustainable infrastructure.

Findings illustrate that the local communities in the Niger Delta lack basic infrastructural facilities and face acute shortage of facilities; in most local communities; the infrastructure doesn't exist at all.

This study finds that neither education nor health facilities, nor other infrastructure such as power supply, roads and water supply, were insufficiently available in local communities of the Niger Delta. The deficiency of infrastructure in local communities of the Niger Delta was further supported by the previous study on the hanging of Saro-Wiwa and studies by the United Nations Development Programme (UNDP, 2002; Bacon and Damu, 2006) indicating that the Niger Delta region suffers from crumbling social infrastructure and services.

The present study confirmed the findings which illustrated that oil companies do not invest substantially in infrastructure that benefits the local communities and therefore the state of infrastructure in communities is at zero.

The local communities in the Niger Delta suffer from a poor state of infrastructure.

The acceptance of the proposition is based on the answers to the formulated research questions above. It therefore means that the local communities lack access to basic infrastructure which means that the investment in infrastructure claimed by oil companies does not benefit the ordinary people.

7.6 Research question five

Are oil companies contributing to the improvement of the long-term well-being and quality of life of communities (e.g., education and health)?

The findings related to this question are CSR / SD issues in the Niger Delta viewed from the perspectives of economic sustainability, social sustainability and sustainable

community development. The question is focused on oil companies' contribution to the improvement of the long-term well-being and quality of life of communities.

Findings from both interviews and archival data on improving the standard of living of local communities under economic sustainability indicate that the local communities are faced with the challenges of a poor standard of living such as lack of access to quality healthcare and education. Previous studies including those of the United Nations have supported the assertion that the standard of living of local communities in the Niger Delta is poor with slow growth (Sachs and Warner, 1997; Gullet, 1998; Sachs and Warner, 2001; Manzano and Rigobon, 2001; UN, 2002). For social sustainability, findings showed that the welfare schemes provided to local communities by oil companies do not meet the expectations of the local communities. Previous studies on social sustainability showed a requirement for MNOCs to meet the expectations of local communities, to support a developmental environment for staff and meet the expectations of key stakeholders (Benn and Boston, 2011).

Findings on environmental sustainability from the eight local communities visited by the researcher show that the communities have been tremendously affected by pollution and gas flaring and were environmentally degraded by the activities of oil companies.

- **Findings on sustainable community development (SCD)**

This study finds that the exploitative legacies of the imperial era of the Royal Niger Company in 1884, when the company imposed protection treaties and committed atrocities of war and explored Machiavellian strategies to monopolise commercial activities of the natives without giving back to the communities where they operated, were the foundation built upon and carried over by modern corporations in the Niger Delta in order to relegate, downgrade, neglect, victimise, discriminate against and marginalise the local communities. Findings show that there has been no development

in local communities since the regime of the RNC. The communities have remained shabby, static and undeveloped with no access to the basic necessities of life.

This study also finds that in some of the oil- and gas-producing communities where the flow stations of the oil companies are located are camps built by the oil companies for accommodation of their staff. The camps were built with access to basic facilities for the comfort of their staff, with water, electricity, good health facilities with qualified doctors and nurses, satellite facilities, perfect communication networks, a road to the flow station, among other benefits, to the detriment of the immediate communities where exploration and production are being carried out.

Findings from the oil companies' online CSR and SD policies and practices debunked the findings from interviews and archival data that oil companies operating in the Niger Delta were committed to CSR / SD in local communities of the Niger Delta. The findings also show that oil companies are committed, in particular, to improving the well-being of local communities in the areas of education and health. This was described in previous studies (Tuodolo, 2009; CNOOC, 2009:25–29) indicating that Shell provided scholarship to communities in the Niger and China Petrochemical Company contributed US\$1.03 million of the US\$2.28 million (in line with its ownership share) provided in educational scholarships by the consortium operating Block OML 130 in Nigeria.

Current findings on CSR / SD of oil companies are in tandem with previous studies that CSR of MNOCs in the Niger Delta has caused social, economic and political disaster (Ite, 2004), in sharp contrast with the website findings on CSR / SD policies and practices of oil companies in the Niger Delta. The findings also oppose previous studies (Mbeki, 2006) on the *African renaissance* which aimed to meet the basic needs of people, end poverty and improve quality of life. Therefore, it cannot be concluded that the CSR and SD of MNOCs in the Niger improves or contributes to improving the

standard of living of the people of the Niger Delta. Further studies are needed in these areas due to contradictory revelations by previous studies.

These findings were in line with the present study, which demonstrated that CSR, SD and SCD do not improve or contribute to improving the standard of living of the people of the Niger Delta.

The CSR, SD and SCD of oil companies do not improve or contribute to improving the standard of living of local communities in the Niger Delta.

The propositions were accepted based on the answers to the formulated research questions above.

7.7 Research question six

Do the oil companies engage in dialogue with local communities regarding activities that are taking place and / or impact local communities? If so, how?

The answer to this research question is found within the findings on oil companies' engagement in dialogue with local communities regarding activities that are taking place and / or impact local communities viewed from the perspectives of corporate governance and voice and agency issues in the Niger Delta. The answer focuses on whether or not oil companies engage in dialogue with local communities regarding activities that are taking place and / or impact local communities and how these are done. The answer also focuses on voice and agency, which refer to the opportunity for local communities to be heard, to express their feelings and needs about the CSR and SD activities of MNOCs that impact on their lives (Sen, 1992, 1999; Nussbaum, 1999).

This study finds website data on engagement of oil companies in dialogue with local communities which show that the CSR / SD of oil companies encapsulates corporate governance policies and practices which guide them in dialogue with local communities, with the exception of Oriental Energy Resources who lack corporate

governance policies. These include maintaining cordial relationships with local communities, partnerships, communication with local communities, regular meetings with local communities, implementing agreements reached with local communities, rights of indigenous people and stakeholder engagement.

Findings from the perspective of corporate governance issues on engagement of oil companies in dialogue with local communities regarding activities that are taking place and / or impact local communities include communication with local communities on their welfare services, partnerships with local communities and regular meetings with local communities show that findings of interviews and archival data were mixed and contradictory with findings from the oil companies' online CSR and SD policies and practices in the Niger Delta.

The archival data revealed a dearth of findings on the state of corporate governance issues on communication, partnerships and regular meetings with local communities by oil companies.

However, findings from all categories of participants show that lack of communication between the oil companies and local communities is one of the factors responsible for their crises. This is supported by previous studies (Cornelius et al., 2008; Owolabi, 2009; Benn, 2012; Onweazu, 2012) indicating that MNOCs should explore the talents of employees and some intangibles in the form of reputation, strategic management of litigation issues, brand, ethical policy and principles, the strength and ability to communicate with customers and local communities as a source of competitive advantage to enhance governance for sustainability. As far as findings on partnership are concerned, findings from all categories of participants revealed that oil companies do not partner with local communities in the Niger Delta, and therefore there is no

evidence to support the findings, as previous studies (Carley, 2002; Hull, 2000; Hart, 2003; Robinson et al., 2005; Lawless, 2006; Williams, 2006; Blake et al., 2008; Idemudia, 2009; Diamond, 2010; Sandoval, 2010; Cornelius and Wallace, 2011) encourage MNOCs to partner with local communities in order to determine their needs and desires.

Findings on regular meetings with local communities from participants in Ajamimogha oil- and gas-producing community indicate that the companies don't meet with them at all. The importance of MNOCs meeting regularly with the local communities and stakeholders in the Niger Delta was underpinned in previous studies by Bowen (1953). Findings on implementing agreements reached between the oil companies and local communities from archival data and interviews with all categories of participants were the same. Findings indicate that oil companies do not implement the agreements reached with local communities. The companies keep promising and failing to deliver on whatever decisions were reached with the local communities. These findings were supported by previous studies on business warfare of the Royal Niger Company (RNC) against indigenes under Goldie (1884) have corroborated how over 400 false agreements were made to monopolise commercial activities in the Niger, Oil Rivers, Benue and Hausa States in Nigeria.

Voice and agency issues in the Niger Delta

Findings indicate that the voices of women in local communities were silenced and not heard compared to the voices of men. These were confirmed in all the local communities I visited for this study, where only men were called upon by the chairmen of the communities to attend interviews with me. It was only in Ajamimogha (riverine oil- and gas-producing community) that the chairman of the community called on fisherwomen to explain their previous and current experiences of the fish caught prior to

and after the commencement of oil companies' operations in their communities. This was in contradiction of recommendation of previous studies on voice and inequality along the lines of gender and feminist ethics (Sen, 1985, 1999; Majundar & Subramanian, 2001).

This study finds that the local chiefs were banned by local communities from negotiations on behalf of the communities. Rather, a body of executives was formally constituted by the communities and empowered to embark on negotiations on behalf of the local communities in the Niger Delta, for the following reasons:

1. The confidence placed in local community chiefs by the communities has been abused as a result of corruption by the chiefs.
2. The personal interests of the chiefs have superseded the interests of the communities, and when the communities realised these, they decided to explore another approach, that of empowering the executives with such responsibilities.

The findings on negotiations by local chiefs with oil companies on behalf of the local communities have two implications. First, they indicate the resistance of local communities to agency so as to enhance their participation in decisions that would improve their well-being. Second, it implies that the local communities are now becoming more aware and educated about their rights in the local communities of the Niger Delta. These findings were underpinned by previous studies on community development, human agency and participation and the subaltern (Sen, 1985, 1985a, 1992, ch.4; Gramsci, 1891–1937).

These findings were underpinned by the present study which showed that lack of communication, partnerships, regular meetings or implementation of agreements

reached with local communities by oil companies are factors militating against governance in the Niger Delta.

Lack of communication, partnerships, regular meetings or implementation of agreements by oil companies militate against effective governance in local communities of the Niger Delta.

The propositions were accepted based on the answers to the formulated research questions above.

Further Discussion

Another important finding relates to the model exhibited in Figure 3, Chapter 2. When gathering data, an additional and crucial factor emerged; that of *Ubuntu* as a moderating factor for the impact and scope of the MNOCs' CSR and SD policies and practices for their Niger Delta operations. From *Ubuntu*, stakeholders such as community members and community organisations believed that it was vital there was a shared, collective, view of the issues and how they could be resolved, such that all would benefit. This implies that CSR should certainly be beneficent, a gift freely given whilst doing no harm, but also that dialogue, debate, negotiation and mutual agreements are necessary in order for CSR actions to be regarded as legitimate, fair and respectful. A note of caution is that Sen (1999) argues those communities with limited opportunities may be subject to adaptive preferences - a lowering of expectations. However, Sen also highlights the importance of public reason as one source of capabilities enhancement, enabling communities to understand their circumstances and shape their futures. Collaborations between communities and more articulate and knowledgeable social organisations may be a way to address the concessions associated with adaptive preferences by helping communities understand the real sources of the issues that are limiting their lives or livelihoods.

Figure 39: Ubuntu role as a mediator of effective CSR implementation in an African context

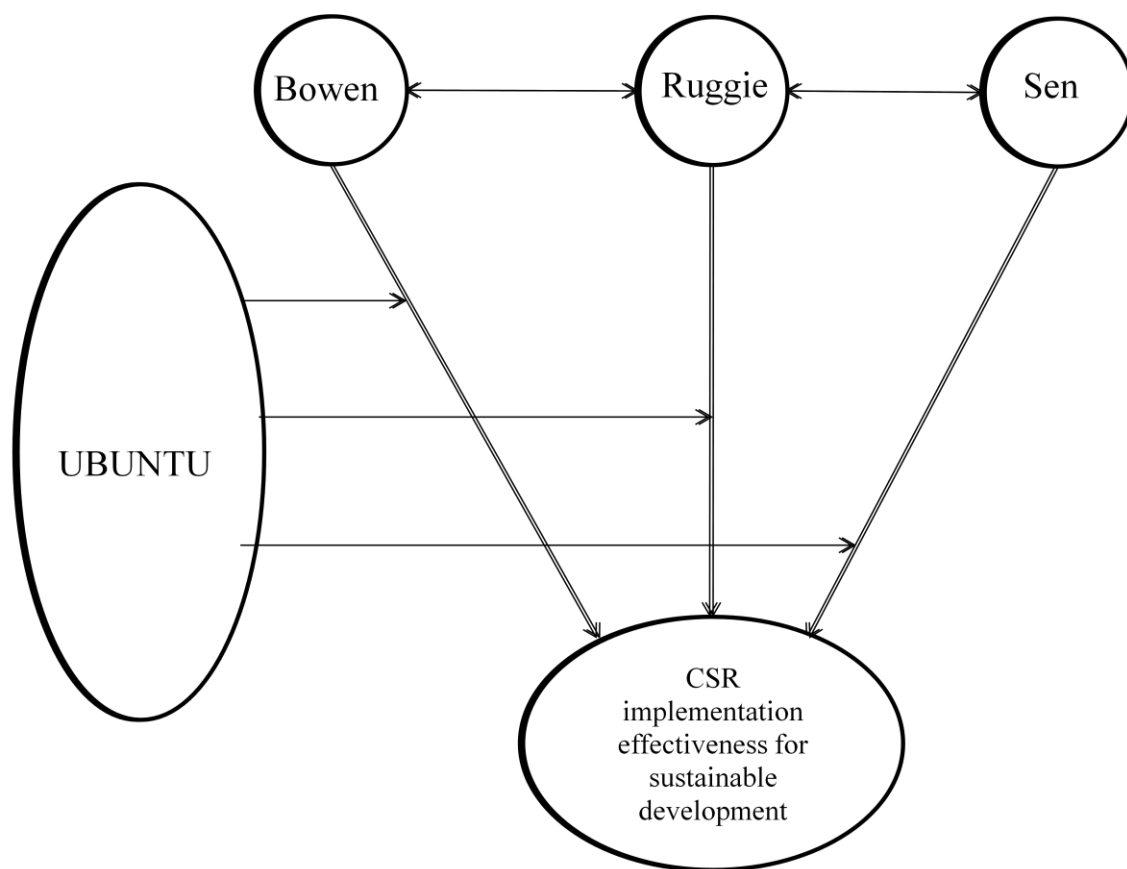


Figure Ubuntu role as a mediator of effective CSR implementation in an African context

Conclusion

Although not anticipated, *a priori*, the culturally specific African practice of *Ubuntu* was found to be necessary to increase the likelihood of identifying the real issues and solutions, through dialogue and mutual respect and benefits that would increase the effectiveness of the MNOCs' CSR actions.

The ubiquitous presence of CSI, and failure to address the substantive issues facing many communities in the Niger Delta clearly demonstrates the need to use the issue of

human rights violations as an important lens when assessing the MNOCs' CSR activities in the Niger Delta.

7.8 Contributions of the study

This study on corporate social responsibility in multinational oil companies and its impact on sustainable development in the Niger Delta is one of the first conducted in Nigeria. It is an avenue for future investigation about CSR and SD in the Niger Delta. Hence, the study provides theoretical, empirical and methodological contributions.

Theoretical contributions

During the course of this study, I identified a number of gaps related in particular to BE, IM and IB. The gaps exhibited much of what has been overlooked and neglected in BE, IM and IB in the context of CSR and SD in the Niger Delta.

1. Critically explore the capability approach (CA), specifically Sen's (1980, 1984, 1985, 1987, 1992, 1997) CA, to develop the understanding of detailed descriptions of CSR and SD policies and practices being followed by the various multinational oil companies operating in the Niger Delta region. Previous studies on CSR and SD in the Niger Delta (Ibrahim, 2008; Collins, 2008) show that the stakeholder theory by Freeman (1984) has been the theoretical basis employed to discuss CSR- and SD-related-issues. In line with this development, this study explored the stakeholder (Freeman, 1984) and shareholder (Friedman, 1970) theories to analyse the history of business warfare of the Royal Niger Company against indigenes of the Niger, Benue, Oil Rivers and Hausa States and the foundation of corporate social irresponsibility in Nigeria (Ndajiya, 2014), but also progress beyond the stakeholder and shareholder theories of Freeman (1984) and Friedman (1970) to utilise Sen's (1980; 1984; 1985; 1987; 1992; 1997) CA approach. This is because the accommodation of stakeholder theory as the theoretical lens of this study will not provide a true picture of CSR and SD

in the Niger Delta and will also be disastrous as stakeholder theory lacks the wherewithal to explore agency, which is an aspect investigated by the study. Furthermore, CSR and SD are concerned with the well-being of the people, and Sen's CA is credited for delineation of functioning, capability, functioning n-triple, capability sets, and states of doing or being and covers all spheres of well-being of people, and only a few studies have considered extensive utilisation of CA theoretical frameworks to evaluate CSR in multinational oil companies and the impact associated with the implementation of CSR and SD policies and practices of oil companies in the Niger Delta.

2. The implication of CSR from Bowen's (1953) perspective explored in this study is a novel contribution to literature. Essentially, quite a number of studies, for instance Ibrahim (2008), have emphasised Carroll's (1991) hierarchy or pyramid of CSR. Bowen's (1953) fundamental principles on which the CSR of businesses such as MNOCs were measured not only pointed out the pyramid of CSR in other studies, but integrated numerous challenges faced in communities as well as addressing how businesses could curb these challenges in their areas of operations.

Empirical contributions

A number of empirical contributions were evident in this study regarding corporate social responsibility in multinational oil companies and its impact on sustainable development in the Niger Delta. These consist of;

1. Evidence using Bowen's (1953) and Sen's (1980; 1984; 1985; 1987; 1992; 1997) CA simultaneously to evaluate oil companies' CSR and SD policies and practices in the Niger Delta. Bowen's (1953) yardsticks for measuring MNOCs' CSR and SD effectiveness and Sen's (1980; 1984; 1985; 1987; 1992; 1997) capability freedom and *latu sensu* (well-being of persons) show that the CSR and SD of oil companies are prone to challenges and, therefore, not effective in the Niger Delta.

2. Evidence on CSR and SD on operational practices of multinational oil companies operating in the Niger Delta and their compliance with the United Nations (UN) human rights directives as specified in the Ruggie (2010/2011) reports. For example, findings indicate that the Nigerian government and oil companies operating in the Niger Delta do not comply with Ruggie's frameworks and international best practice (Ruggie, 2008; 2010; 2011; UN, 2001). The findings indicate that the oil companies in the Niger Delta do not respect human rights of the local communities nor avoid harming the communities nor comply with federal, state or local laws, and some of the oil companies are not even aware of the frameworks. These were evident in the oil companies' online CSR and SD policies and practices which had nothing on Ruggie's frameworks and did not address issues pertaining to Ruggie's frameworks with the exception only of Agip, which showed allegiance to the frameworks. These findings, therefore, clearly suggests the importance of human rights in Nigeria, and NGOs could explore them as indicated in the UN directives to sensitise the MNOCs operating in the Niger Delta.

3. Evidence on social issues of marginalisation, neglect, deprivation, brutality and intimidation of local communities by oil companies as some of the key challenges facing the local communities in the Niger Delta. Some previous studies on CSR and SD development in the Niger Delta emphasise neglect and deprivation of local communities (UN, 2002; Andabai & Basuo, 2013). Other studies (Cornelius et al., 2007; Collins, 2008; Ibrahim, 2008; Ibaba, 2008; Idemudia, 2009; Aaron, 2012; Adewuyi and Oyedeki, 2012; Pegg, 2012; Annegan and Ololade, 2013; Umobong and Micah, 2013; Jhartial et al., 2014; Idemudia, 2014; Abe, 2014, Nwagbara et al., 2014, Raji and Abejide, 2014) and oil companies' online CSR and SD policies and practices in the Niger Delta did not address these challenges. This study moves further than just providing ordinary descriptions of neglect and deprivation of local communities, and proves beyond

reasonable doubt, by providing empirical evidence, the marginalisation and brutality of local communities by oil companies which hitherto have led to exclusion of local communities from participating in the decision-making processes that could impact positively on their lives

4. Voice and agency issues in negotiation by local chiefs with oil companies on behalf of local communities and the voicelessness of women compared to men are the new empirical contributions of this study. The study emphasised the mechanism of improving the community voice and that of local organisations. Previous studies were adamant in these areas, but the oil companies' online CSR and SD policies and practices in the Niger Delta did not address these challenges in local communities. Specifically, there weren't any previous studies on voice in local communities of the Niger Delta; however, this study demonstrated empirically that the voices of women in local communities of the Niger Delta are silenced compared to the voices of men. Findings show that local chiefs are no longer allowed by their communities to negotiate with oil companies due to corruption and greed on their part. Findings also indicate that communities are often at loggerheads with the state government for negotiating on their behalf especially in terms of revenue collection from the Federal Government of Nigeria. Findings indicate that the local chiefs are not allowed by the local communities to negotiate with state governments on their behalf either. It therefore means that previous studies by Sen and others (Sen, 1985, 1999; Majundar and Subramanian, 2001) on voice and agency which underpinned development, human participation and resisted agency that development can only be achieved if the communities concerned are allowed to actively participate and have choice of their representatives has come to stay in the local communities of the Niger Delta. The call for resistance of agency by local communities in the Niger Delta also implies that the local communities are becoming

more aware of their rights and the consequences associated with agency, especially by representatives that are not the choice of the people.

5. Detail awareness and understanding of CSR in multinational oil companies and its impact on SD in the Niger Delta. Several publications, both articles and working papers, have revealed more of CSR and SD literatures and practices in developed countries than in developing countries (Carroll, 1991), which has led to wide gaps and very limited empirical research on CSR and SD in the Niger Delta (Visser, 2005, 2007; Thomsen, 2004; Lockett et al., 2006; Frynas, 2006; Pederson and Huniche, 2006; Amaeshi, 2006). This study therefore fills the gap to contribute to the knowledge and literature on CSR and SD in the Niger Delta.

6. This study contributes to the field of BE by providing new evidence on ethical issues in the Niger Delta. The study confirmed that laxity on the part of oil companies in implementing effective CSR and SD in local communities is as a result of neglect of the ethical dimension and, until business ethics are extended from classroom to corporation (Cornelius, et al., 2007), it will be the case that CSR and SD could be improved upon in local communities of the Niger Delta. Previous studies on ethical issues in the Niger Delta have focused on payment of compensation, which this study has explored, but it has also moved beyond this to use oil companies' websites to reveal that the CSR and SD policies and practices do not address bunkering, underpayment of royalties by oil companies and negative perception of oil companies in the public domain. For example, findings show that oil companies are involved in bunkering with collaborators. Findings also indicate that oil companies underpay royalties to the Nigerian government. Finally, findings show that not only do the local communities have a negative perception of oil companies but the majority of stakeholders tinted their operations in local communities of the Niger Delta.

7. Evidence on the impact of sustainable community development in the Niger Delta. This is because the impact of sustainable development in local communities of the Niger Delta uncovered by this study is huge compared to previous studies. This study explored the oil wells located in local communities, and it unveiled the relationship between the oil wells and edifice of indigenes of local communities. Further, it explicitly provided enumeration on impact of flow stations located at the heart of Gelegele community and other oil- and gas-producing communities and lends support to other studies (Umobong & Micah, 2013). For example, findings show that oil communities have been stagnant in terms of development since the colonial period of the RNC in 1884, without access to basic infrastructural facilities such as roads, electricity, water housing, education and health. Findings show the impact of operations of oil companies on the ecology of the local environment, which has corroborated previous studies (Hawkes, 1972; Ewusie, 1980; Ola, 1984; Hatch and Matter, 1994; Inyang and Awak-Essien, 1995; Asuquo et al., 1995; Smith, 2012) on oil spills and pollution of water, land and air.

8. The business history developed in this study on the history of business warfare of the RNC against indigenes of Niger, Benue, Oil Rivers and Hausa States and the foundation of corporate social irresponsibility in Nigeria (Ndajiya, 2014), is a major contribution to knowledge in BE, IM and IB. The history of the warfare in question underpins the current trends of CSR and SD demonstrated by modern MNOCs operating in the Niger Delta in terms of ethical, legal, governance, human rights and employment concerns and other challenges related to CSR and SD today in the Niger Delta.

9. Explore the websites of oil companies' details of CSR and SD policies and practices in the Niger Delta. This is an area neglected by previous studies, but utilised in this study to contribute to knowledge and lend support to other studies (Cornelius et al., 2007; Collins, 2008; Ibrahim, 2008; Ibaba, 2008; Idemudia, 2009; Aaron, 2012;

Adewuyi and Oyedele, 2012; Pegg, 2012; Annegan and Ololade, 2013; Umobong and Micah, 2013; Andabai and Basuo, 2013, Jhartial et al., 2014) on CSR- and SD-related issues of oil companies in the Niger Delta.

10. This study contributes to the body of knowledge by introducing human rights into the CSR agenda. Previous studies on human rights issues in the Niger Delta were prominently discussed in terms of lack of food, water, shelter and poverty (UN, 2001). This study gears up to contribute empirically to confirm other human rights challenges, of movement in local communities, causes of conflicts between the local communities and oil companies, and conflicts between the communities. For example, findings show that local communities were deprived of access to movement in local communities as a result of oil companies' operations. The existing findings and literature of this study lend support to other studies (Sen, 1985, 1999; Majundar and Subramanian, 2001) on human rights and human security and bodily integrity of being able to move freely from place to place (Nussbaum, 2007:78–80). Four factors were responsible for the causes of conflicts between communities, comprising claim of ownership of oil wells, processes for sharing the benefits from oil, if any, oil companies using divide and rule tactics to cause confusion between the local communities, and change of community leadership. These were confirmed in previous studies (Collier and Hoefler, 1998, 2001; Human Rights Watch, 1999; Mack, 2000; Fearon and Latin, 2003) indicating that there is absolutely a possibility of risk of war, conflict, and tension between communities in nations endowed with oil resources. Findings indicate that the causes of conflict between the oil companies and local communities result from oil companies' collaboration with elders of some communities to claim the ownership of oil wells, that communities are provoked due to lack of sustainable development in their communities by oil companies in the Niger Delta, that there is non-payment of compensation by oil companies to local communities, and that there is failure of oil companies' operational

equipment which leads to leakage and spills within the communities. Conflicts between the oil companies and local communities were demonstrated in previous studies by UNCTAD (2003:104–105), Sen (1985; 1985a; 1992, ch.4) and Nussbaum (2007:80–87) on bodily integrity of being secure against violent assault and conflicts with personal well-being.

11. Evidence on *African management theories of Ubuntu, African renaissance and Omoluwabi* in the CSR and SD of oil companies operating in the Niger Delta. The theories depict African culture, beliefs and values, and the reflection of the principles in practice in CSR and SD in the Niger Delta. For example, findings show that the principles were not considered by oil companies in their operations.

Methodological contributions

This study contributes methodologically to a great degree to the field of business ethics (BE), international management (IM) and international IM and international business (IB). For instance:

1. Past studies on BE and IM (Cornelius et al., 2007; Cornelius et al., 2008; Idemudia, 2009; Ololade and Annegan, 2013; Micah and Umobong, 2013; Andabai and Basuo, 2013; Jhartial et al., 2014) and IB (Hurmerinta and Nummela, 2012; Alawadhi, 2013) explored mixed methods and were more dominated by the quantitative method in developing countries (Lockett et al., 2006). Given this, the use of the qualitative method (Cresswell, 1994) in this research is not only a unique methodology that has proved to be more effective in providing answers to complex phenomena and the research questions on CSR and SD of oil companies' policies and practices and evaluation of oil companies' CSR and SD policies and practices on local communities and environment in the Niger Delta, but is also a novel idea in line with critics of quantitative research (Cicourel, 1964; Denzin, 1970; Schwartz and Jacobs, 1979; Hammersley and Atkinson,

1995; Gubrim, 1988) for the use of qualitative methods in CSR and SD in developing countries.

2. The study adopt subaltern theory, also known as postcolonial theory, as a methodology in the field of BE, IM and IB. Subaltern or postcolonial theory (Gamsi, 1891-1937)) has emerged as a sub-disciplinary and alternative historical field over the last three decades (Guha, 1982). This methodology, perhaps, enables the researcher to unveil the impact of CSR and SD from the perspective of the local communities (oppressed) in the Niger Delta rather than from the perspective of oil companies (oppressors). The study thus argues that postcolonial theory corroborates social exclusion and seclusion, political isolation, marginalisation, deprivation, and victimisation of local communities in the Niger. The study therefore suggests that effective CSR and SD must be adopted by oil companies to pave the way for social inclusion of the local communities in the Niger Delta.

3. The use of photovoice (Wang, Cash and Powers, 2000) in this study is novel. The importance of photographs in social and historical research was further stressed by Tinkler (2013). Photovoice as a method of data collection has been neglected by previous studies over the years, and even when they triangulate methodologically, they are often confined to the use of interviews and archival methods, and, in a few cases, added observation. This study however, is credited methodologically for the use of photovoice as a new data collection method in addition to previous methods to examine the CSR and SD policies and practices of oil companies in the Niger Delta and the evaluation of impact and benefits of CSR and SD policies and practices by oil companies on local communities and environment.

4. Exploring in detail the social construction of corporate social responsibility as an ontological position. This was evident in previous studies where social construction (Berger and Lukman, 1966:1-247) as an ontological position was simply mentioned without further details as to why it is socially constructed. In this study, I fully elaborated this point with ardent evidence from literature and the empirical investigation of this study to prove beyond reasonable doubt that the CSR and SD activities of oil companies in the Niger Delta are socially constructed (Berger and Lukman, 1966; Charmaraz, 2006; Glazebrook, 2005; McIntosh et al., 1998; Zadek, 2001; Birch, 2001; Waddock, 2002).

7.9 Limitations of the study

Even though the earlier discussions and conclusion are rich and provide insight into CSR in MNOCs and its impact on SD in the Niger Delta, it would be ideal to evaluate it against the limitations highlighted below. It is pertinent to state that, apart from the methodological limitations of this study exposed in chapter four (in section 4.9 of the methodology), there exist other limitations.

This study lacks external validity as findings may only be applicable to the Niger Delta. This simply implies that the generalisability and transferability of this study may prove something of a challenge. Numerous countries in Africa are endowed with oil and gas similar to Nigeria, such as Sudan and Libya, with challenges relating to CSR and SD in the oil companies in their domains; hence, the recommendations provided in this study would be difficult to apply in Sudan and Libya or any other countries endowed with abundant oil and gas resources. However, the generalisability and transferability is guaranteed only in the context of this study based on the method of enquiry explored as different methods of enquiry may be used in other studies. Further, the evaluation of CSR and SD policies and practices of oil companies in this study were restricted to the

use of Sen's (1980; 1984; 1985; 1987; 1992; 1997), theoretical framework and Bowen's (1953) platforms for measuring CSR and SD of MNOs. Further, the research is cross-sectional and CSR and SD may change substantially with an evolving world economy which is currently in recession. Hence, the identified CSR and SD relate predominantly to the current competitive setting between the oil companies in the Niger Delta.

7.10 Recommendations for future research

Several directions for future studies were suggested by this study.

The marginalisation of local communities by oil companies as a novel insight was brought to the fore by this study. Other key areas explored to provide explanations within the ambit of marginalisation include brutality, intimidation, neglect and deprivation. Future studies could explore these as an avenue for discovering further challenges in local communities. The utilisation of postcolonial theory and oil companies' online CSR and SD policies and practices in this research is pioneering in the history of CSR and SD, specifically in BE, IM and IB, and opens windows for future studies to explore in other fields. The study presented Sen's CA and Bowen's conceptualisation of CSR which were explored theoretically and empirically to evaluate the effectiveness of oil companies' CSR and SD policies and practices in the Niger Delta, which provide opportunities for future researchers to expand on these. Furthermore, in this chapter (discussion section), a chunk of findings were uncovered in the research questions that require attention in future. These include concerns of ethics, environment, employment, infrastructure, corporate citizenship, human rights, Ruggie's framework, voice and agency, governance and sustainable community development, which can be explored further by future studies.

7.11 Recommendations for the Nigerian government

This section will provide recommendations for overcoming the challenges of CSR in multinational oil companies and the impact on sustainable development in the Niger

Delta. The recommendations were based on the analysis of results and in-depth evaluation of findings of this study.

1. The findings of the results showed that local communities in the Niger Delta faced social calamities such as marginalisation, deprivation, neglect, victimisation, brutality and intimidation by oil companies (Gramsci, 1891–1937; Gramsci, 1971; UN, 2001; Said, 2007). Therefore, the Nigerian government should address these challenges because they have to date eaten up the flesh of local communities in the Niger Delta. In addition, there have been shortcomings in the online CSR and SD policies and practices of oil companies operating in the Niger on these challenges in local communities. Government should ensure that these deficiencies in oil companies' online CSR and SD policies and practices are augmented to integrate these challenges.

2. Findings of the results also indicated that issues of voice and agency are serious challenges in the local communities of the Niger Delta. In order to overcome these challenges, the Nigerian government should encourage the participation of the local communities in the decision-making process that could impact positively on their lives. Various studies such as Cornelius et al. (2008), Nussbaum (1999), Owolabi (2012), Sen (1992, 1999), Warhane and Freeman (1997) and Gramsci (1891–1937) have highlighted the importance of participation of local communities in decisions that impact on their lives. Studies by Alik Shahaddah (2007) have also debunked ideas of domination and corroborated the removal of agency from Africa to enhance development.

3. It was glaringly apparent in the findings that the operations of oil companies impact on the ecology of the local environment, especially through gas flaring. The Nigerian government should think of alternative courses of actions to minimise gas flaring from the operations of oil companies in the Niger Delta, where the largest flaring incidence occurs with reported flaring of 24.1% in 2004. This is very possible, as demonstrated in

studies showing that Libya, the USA and the UK reported flaring in 2004 equalling 2.5%, 2.8% and 1.6% (Gervet, 2007).

4 .The Nigerian government should ensure it integrates stabilisation clauses at the time of signing joint venture agreements with the MNOCs; all related CSR challenges such as ethical issues, employment issues, environmental issues, human rights issues, sustainable community development issues, governance issues and compliance with Ruggie (2010/2011) frameworks in local communities of the Niger Delta should be clearly spelt out in the agreements reached with oil companies, and it should be ensured that the CSR and SD policies of oil companies are in line with these agreements. Ruggie (2008) demonstrates a typical example which was implemented in Canada's transaction of export credit agency news when a 'Statement on Human Rights' was made, and it was agreed that the Office of the UN High Commissioner for Human Rights should guide the approach to assessing human rights. To comply with the directive of the Office of the Special Representative of the UNHCR, they immediately drew the attention of the company to the report and a recommendation was made to the company to implement effective CSR policy (A/HRC/11/13:3). This therefore indicates that agreements on CSR and SD in the Niger Delta can be reached with oil companies and could be effectively supervised by the Nigerian government to ensure full compliance.

5. The Nigerian government should also take the initiative to establish a ministry of corporate social responsibility to supervise the implementation of CSR and SD policies and practices of oil companies in their area of operations in the Niger Delta. It seems that such an initiative would be more appropriate and more effective than charging the Department of Petroleum Resources (DPR), which is a key polluter in the oil and gas industry, with the supervision of other polluters.

6. The established Ministry of Corporate Social Responsibility should be charged with the responsibility of organising timely business ethics workshops, seminars, symposia, conferences and lectures for both management staff and other employees of MNOCs operating in local communities of the Niger Delta. The sensitivities of business ethics in MNOCs' operations were further emphasised by Bowen (1953) and in studies to promote business ethics by the movement of business ethics in the early 1960s in Europe. The business ethics movement in Europe was prominently concerned with the professional transformation of a manager's moral behaviour in which a manager is expected to be a moral agent and should also recognise the difference between economic law and moral law.

7 .More strongly, the Ministry of Corporate Social Responsibility should ensure that business ethics is extended from their classrooms to corporations (Cornelius et al., 2007) so that MNOCs are transformed ethically and become more aware of and sensitive to unethical behaviours, perceive CSR and SD as activities that enhance company's performance (Husted and Allen, 2000; Husted and Salazar, 2006; Maron, 2006; McWilliams & Siegel, 2001; Moneva et al., 2007; Orlitzky et al., 2003; Salzman et al., 2005; Schuler and Cording, 2006; Swanson, 1995, 1999; Waddock and Graves, 1997; Wood, 1991; Wood and Jones, 1995; Wright and Ferris, 1997), promote corporate reputation (Zairi, 2000) and increase profit.

8. Although CSR has been characterised as voluntary, it should be regulated by the Nigerian government to enhance compliance by MNOCs operating in the Niger Delta. For example, EC Communication 347 of 2002 underpinned the necessities for CSR

regulation. Some studies (Campbell, 2006; Galaskiewicz, 1991; Mellahi, 2007) have reported that negative sanctions enforced through regulation may discourage companies from acting in a socially irresponsible manner. Thus, a CSR regulatory framework is required not only for cooperation of companies, but also to enhance CSR effectiveness and strengthen the paradigm of business ethics in MNOCs in the Niger Delta.

9. The Nigerian government should endeavour to effectively utilise the revenue derived from oil explorations and exploitation to address sustainable development challenges concerning water, roads, electricity, housing, education and health, especially in oil- and gas-producing communities, to facilitate sustainable community development in the Niger Delta.

7.12 Recommendations for MNOCs operating in the Niger Delta

These recommendations would be beneficial to MNOCs operating in the Niger Delta, as they are prominent stakeholders in the oil and gas industry in Nigeria and directly involved in CSR and SD challenges facing the local communities in the Niger Delta.

1. Findings from the results show that the oil companies' online CSR and SD are defective and do not address social challenges of marginalisation, neglect, deprivation, victimisation, brutality or intimidation of local communities. To overcome these challenges, MNOCs (the rich and the oppressors) operating in the Niger Delta should address their marginalisation, neglect, deprivation, victimisation, brutality and intimidation of local communities. Marginalisation of the poor (the oppressed), such as the local communities of the Niger Delta, by oil companies was expounded on and condemned in studies by Gramsci (1891– 1937) on the subaltern. Further, MNOCs in

the Niger Delta are therefore encouraged to liaise with communities on decisions that affect their lives so as to boost their relationship with the local communities.

2. The findings of the results indicated that the local communities are faced with sustainable development challenges as a result of oil companies' operations. Therefore, MNOCs who wish to continue to invest in the Niger Delta are encouraged to preserve the environment by minimising gas flares and pollution of land and water, reducing oil spills / leakages and environmental degradation, improving technology of equipment and phasing out run-down, dilapidated and corrosive pipelines. MNOCs should also pay compensation to local communities for damages caused by their operations, employ local indigenes and improve sustainable infrastructural facilities such as water, housing, roads, education, health and electricity to enhance sustainable community development in the Niger Delta.

3. Findings show that oil companies in the Niger Delta are complicit in human rights abuses and do not comply with Ruggie's (2010/2011) frameworks of protection, respect and access to remedy. MNOCs commit themselves to observing these principles in order to meet up with global best practice. This is underpinned by the UN Global Compact (2000) on human rights principles. Further, the CSR and SD policies and practices of MNOCs in the Niger Delta should be guided by fundamental principles of business ethics.

4. MNOCs should halt exhibition of chameleon behaviours and be upright in their dealings with local communities and stakeholders by fulfilling their promises and

various agreements reached in order to give peace a chance, and redeem their image and negative perceptions in order to win public interest and confidence at large.

7.13 Recommendations for local communities in the Niger Delta

1. Even though findings in this study confirmed that local communities in the Niger Delta have been betrayed by both the oil companies and the Nigerian government, communities should promote peaceful coexistence through dialogue devoid of violence to manage the oil companies exploring their resources without reasonable returns to the communities.
2. Local communities should endeavour to tolerate the MNOCs operating in their domains, which might not be easy; however, communities improve their campaign for continued resistance of agency by unscrupulous negotiators on their behalf, and, as a result, their plight might one day yield fruitful results for effective sustainable community development.

7.14 Summary

This chapter highlights the findings of the research on CSR in MNOCs and the impact on SD in the Niger Delta. To achieve all of desired outcomes, I suggested recommendations for policymakers, MNOCs operating in the Niger Delta and local communities, as well as presenting the theoretical, empirical and methodological contributions of the study, the limitations of the study and recommendations for future research.

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APPENDICES

APPENDIX A

- **Interview protocol summary**

Briefing

1. I introduced myself to the potential research participants, and explained the purpose of the interview.
2. Next, the Consent Form and the relevant Information Sheet (there are two distinct Information Sheets, one for local stakeholders and the other for senior managers of the oil companies) were given to the participants. The contents of both were fully explained to the participants and they were encouraged to ask me questions to clarify any uncertainties.
3. The potential participants were:
 - i. Requested to reflect on the objectives of the interview and the way it was to be conducted and decide if they still wished to be interviewed.
 - ii. Made aware that they had 48 hours to withdraw consent.
 - iii. Informed that they could withdraw from the interview at any stage and without providing any justification.
 - iv. Informed that they could have their interview data subsequently removed from the study up to the point that data analysis had started.
 - v. Notified that the interviews would be audio recorded.
 - vi. Assured that their participation would be confidential and that their data from the interview would be anonymised.

4. The potential participants were then required to formally confirm that they were still willing to participate in the interview, or to decline to take part. Confirmation was notified by the individual signing the Consent Form.
5. Confirmed interviewees were sent details of when and where the interview would take place.
6. Immediately prior to each scheduled interview, I ensured that the audio recording equipment was set up appropriately to be able to record the interviews.

Questions

7. The interview commenced with a sequence of demographic questions (e.g. name, age, occupation, relationship with specific oil company, etc.) and prepared semi-structured questions (below).
 - (a) What are the relevant corporate social responsibility and sustainable development practices and procedures for your company that are relevant for your operations in the Niger Delta?
 - (b) How are the corporate social responsibility and sustainable development practices and procedures for your operations interpreted and enacted in your Niger Delta operations?
 - (c) Do your corporate social responsibility and sustainable development practices and procedures differ from those used by your company in other countries?
 - (d) What impact do the operations of the oil companies in the Niger Delta region have on the ecology of the local environment?
 - (e) What is the overall impact of oil company operations on employment and employment patterns in the Niger Delta region?

- (f) What is the overall impact of oil company operations on community life in the Niger Delta region?
- (g) Are the oil companies investing in sustainable infrastructure that benefits the local communities?
- (h) Are oil companies contributing to the improvement of the long-term well-being and quality of life of communities (e.g., education, health)?
- (i) Do the oil companies engage in dialogue with local communities regarding activities that are taking place and / or impact local communities? If so, how?


Debriefing

- 8. After the interview, I asked the interviewee if they would like to inspect the transcription of their interview.
- 9. The interviewees were thanked for agreeing to participate in the interview, and invited to add any comments that they felt they had not had the opportunity to raise but were relevant to the research.
- 10. I asked if the interviewees would like to receive a summary of the research findings and took appropriate details if requested.

- Letters from the Ministry of Petroleum Resources to oil companies

MINISTRY OF PETROLEUM RESOURCES
 PETROLEUM RESOURCES DEPARTMENT
 WARRI

P. M. B. No. 1275
 Telegrams 253242/250349
 Telephone
 Telex



PI/WA/US/1.0
 Ref. No. 31ST MAY, 2013
 Date

OPERATIONS MANAGER,
 PAN OCEAN OIL CORPORATION,
 KM 10, SAPELE ROAD, BENIN CITY,
 EDO STATE.

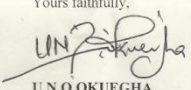
Dear Sir,

REQUEST FOR PROJECT ASSISTANCE

ABDULLAHI NMA NDAJIYA
 MR/MRS/MISS is introduced to the DPR, as a final year
 BRADFORD UNIVERSITY,
 (PhD/B.Sc/B.TECH/POST GRADUATE) student of
 BRADFORD, WEST YORKSHIRE, UNITED KINGDOM. (SCHOOL OF MANAGEMENT).

“CORPORATE SOCIAL RESPONSIBILITY AND
 SUSTAINABLE DEVELOPMENT IN DEVELOPING ECONOMIES: OIL COMPANIES IN NIGER-
 DELTA (EDO STATE IN SPECIFIC)”

He/She is currently working on a project titled
 Please, give him/her all necessary materials to enable him/her complete the project in good time.

Yours faithfully,

 U.N.Q OKUEGHA
 FOR: ZONAL OPERATIONS CONTROLLER, DPR, WARRI.

MINISTRY OF PETROLEUM RESOURCES

PETROLEUM RESOURCES

DEPARTMENT

WARRI

1275

P. M. B. No.....

Telegrams.....253242/250349

Telephone.....

Telex.....



PI/WA/US/1.0 P

Ref. No. 31ST MAY, 2013.

Date:.....

MANAGING DIRECTOR,
DUBRI OIL COMPANY LIMITED
56 BOUNDARY ROAD, G.R.A
BENIN CITY.

Dear Sir,

REQUEST FOR PROJECT ASSISTANCE

ABDULLAHI NMA NDAJIYA

MISS/MRS/MR.....is introduced to the DPR, as a final year

BRADFORD UNIVERSITY,

(PhD/HND/B.SC/B.TECH/POST GRADUATE) student of.....
BRADFORD, WEST YORKSHIRE, UNITED KINGDOM. (SCHOOL OF MANAGEMENT).

"CORPORATE SOCIAL RESPONSIBILITY AND

She/He is currently working on a project titled.....
SUSTAINABLE DEVELOPMENT IN DEVELOPING ECONOMIES: OIL COMPANIES IN NIGER-
DELTA (EDO STATE IN SPECIFIC)"

Please, give her/him all necessary materials to enable her/him complete the project in good time.

Yours faithfully,

U.N. Q'OKUEGHA

FOR: ZONAL OPERATIONS CONTROLLER, DPR, WARRI.

- Research/interview questions for oil companies

| | <u>Research Questions</u> | <u>Interview Questions</u> |
|---------------------------------|---|---|
| 1.1 Economic (To be profitable) | 1. What model of CSR do multinational oil companies in the Niger Delta use, implicitly or explicitly? | |
| | | Q1a. Does your company make an overall profit? |
| | | Q1b. If yes, is this profit declared annually? |
| | | Q1c. If yes, is the part of the profit shared with any of the following: shareholders, stakeholders, employees, the community and the government? |
| | Taxation | Q2a. Does the government include taxation? Q2b. Yes or No? |
| | | Q2c. Which of the government? Q2d. Is it the host government Q2e. The company's government abroad? Q2f. Both |
| | | Q2g. Is the allocation of profit based on percentage? |
| | | Q2h. Who usually receives the largest portion of the profit? Q3a. Does your company provide effective and efficient welfare services to Niger Delta community? |
| | | Q3b. If so, is the cost of this taken before declaring a profit? |
| | | Q3c. Does the corporate social responsibility provided to the Niger Delta communities by your |

| | | |
|--|--|-------------------------|
| | | company enhance profit? |
|--|--|-------------------------|

| | <u>Research Questions</u> | <u>Interview Questions</u> |
|--------------------------------|---|--|
| 1.2. Legal (To be law-abiding) | What model of CSR do multinational oil companies in the Niger Delta use, implicitly or explicitly | |
| | | Q1. Has there been any legal challenge of your company? |
| | | Q2. Has there been any lobbying by your company in relation to CSR compliance? |
| | | Q3a. Do your employees receive legal training for understanding their specific roles in relation to CSR compliance? Q3b. Do your employees understand the laws concerning health and safety in oil exploration, trading, contracts with other companies such as companies under international sanctions? Q4. Does your company have policies and procedures in place to ensure equal opportunity, to avoid discrimination in all forms in employment, racism, oppression, liberty, inequality and victimisation? |
| | | Q5. Have you faced any legal challenge to environmental pollution in the local communities of the Niger Delta? |

| | | |
|--|--|--|
| | | <p>Q6a. Have you had any oil spills?</p> <p>Q6b. If yes, where?</p> <p>Q6c. How often?</p> |
| | | <p>Q7a. Do you have policies in place that allow payment of compensation to the affected communities or stakeholders in the Niger Delta?</p> <p>Q7b. If yes, how is this done?</p> |
| | | <p>Q8a. Is your organisation aware of Federal Environmental Protection Agency and National Oil Spill Detection and Response Agency established by the Nigerian government for the protection and development of the environment?</p> |
| | | <p>Q8b. If yes, how does your organisation liaise with these agencies in the Niger Delta?</p> |
| | | <p>Q8c. Does your company practise environmental management of its operations in the Niger Delta?</p> |
| | | <p>Q8d. If yes, is this successful in ensuring good environmental control of the operations in the region?</p> |
| | | <p>Q9a. Is your oil company aware of the UN reports on business and human rights to “protect, respect and remedy” by Professor Ruggie (2011)?</p> |
| | | <p>Q9b. Does your oil company comply with the guidelines of the UN reports on business and human rights to “protect, respect and remedy” by Professor Ruggie (2011)?</p> |

| | | |
|--|--|---|
| | | Q9c. If yes, how does your company comply with Ruggie's (2011) frameworks in the context of local communities in the Niger Delta? |
|--|--|---|

| | <u>Research Questions</u> | <u>Interview Questions</u> |
|--|--|--|
| Ethical (to do what is good, just and fair, and minimising what is wrong / utilitarian, justice and rights) | What model of CSR do multinational oil companies in the Niger Delta use, implicitly or explicitly? | |
| | Ethical (doing what is good, just and fair, and minimising what is wrong / utilitarian, justice and rights) | Q1a. Does your organisation have formal ethics codes? |
| | | Q1b. Do you provide ethical training for your employees? |
| | <u>Staff welfare</u> | Q2a. Do you pay your staff more than the recognised industry rates? Q2b. Yes or No? |
| | | Q3. Do you provide health benefits to all of your employees in the Niger Delta above your statutory obligations? |
| | <u>CSR policies</u> | Q4a. Do you operate a specific CSR policy in the Niger Delta, |

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| | | independent of your organisation's global CSR policy? |
| | | Q4b. Is CSR integrated into your organisation strategy? |
| | | Q4c. Does CSR reduce your firm's risk? |
| | | Q4d. If yes, what are these risks? |
| | <u>Charitable activities</u> | Q5a. Does your company engage in charitable activities in the Niger Delta? |
| | | Q5b. List the charitable programmes carried out by your company in the Niger Delta? Q6a. How would you describe the relationship of your company with the local communities where you operate? |
| | <u>Governance</u> | Q6b. Does your company interact with the local communities? |
| | | Q6c. Does your company liaise with local communities prior to taking decisions that could impact on these communities? |
| | | Q6d. Do you integrate the local communities in decision processes? |
| | | Q6e. Does your company liaise with the local community chiefs in making |

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| | | decisions that will impact on their communities? |
| | | Q6f. What are the roles of local community chiefs in the decision processes of your company? |
| | <u>Philanthropy</u> | Q8. How does your company voluntarily assist the local communities in the Niger Delta to minimise environmental degradations such as land, water, air and marine pollution, oil spills, poverty, unemployment, and lack of basic infrastructure such as education, food, water, roads and medical facilities in the Niger Delta? |
| | | <p>Q9a. In the Niger Delta region where your company operates, are there problems of:</p> <ul style="list-style-type: none"> - Slow economic growth in the region <ul style="list-style-type: none"> ○ -Risk of outbreak of civil war in the region ○ -Uncertainties and abnormalities and low rate of democratisation <ul style="list-style-type: none"> ▪ -Dutch disease and resource curse thesis |

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| | | <p>Do you think your company has any obligations to the local community to address these problems?</p> <p>Q9b. If yes, why?</p> <p>Q9c. If no, why?</p> |
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| | <u>Research Questions</u> | <u>Interview Questions</u> |
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| 4. Philanthropic (To respond positively to stakeholder's expectation) | What model of CSR do multinational oil companies in the Niger Delta use, implicitly or explicitly? | |
| | | Q1. Does your company consider that it has philanthropic responsibilities [in the Niger Delta]? |
| | | <p>Q1b. Does this include provision of welfare services?</p> <p>Q1c. If so, does this include provision of any of the following for the local community in the Niger Delta:</p> <ul style="list-style-type: none"> -Clean water -Employment -Education -Academic scholarships |
| | <u>Sustainable community development</u> | Q2a. Do you provide sustainable community development |

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| | | programmes such as recreational facilities like construction of town halls and access roads for the local communities in the Niger Delta? |
| | | Q2b. How do you provide these services to the local communities in the Niger Delta? |
| | | Q2c. Do you provide these services for moral or commercial reasons, or for both? |
| | | Q2d. Which other services do you provide to the local communities in the Niger Delta? |
| | | Q2e. How many communities in the Niger Delta have benefited from these services in the last two years? |
| | | Q2f. Was the provision of these services in the Niger Delta recognised and appreciated by the local community? |
| | | Q2g. How does the provision of these services impact on the relationships between your company and the local Niger Delta communities? |
| | | Q3. What are the priorities of your company's CSR in the Niger Delta and in the developed countries? |

| | <u>Research Questions</u> | <u>Interview Questions</u> |
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| 2. | Why does CSR in Africa differ from that in developed economies? | <u>Ethical practices</u> |
| | | Q1 Is your company code of ethics the same globally? |
| | | Q2. Are the ethical practices of your oil company such as minimising pollution in the Niger Delta the same as those of the developed countries such as UK and Germany? |
| | | Q3a. How strict are the ethics compliance policies of CSR in developed countries? |
| | | Q3b. Are the ethics compliance policies of the developed countries the same as those of the Niger Delta and other developing countries? |
| | | Qc. If no, how does this differ? |
| | | Q4. What steps do your company take to achieve better balance between profits and business ethics? |
| | | Q5. Are your company ethical practices guided by the principles of the greatest good to the greatest number? |
| | | Q6a. Does your company hold meetings on a regular basis with |

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| | | Nigerian government officials to discuss ways forward on CSR practices in the local communities of the Niger Delta? |
| | | Q6b. If yes, how does it? |
| | | Q6c. Where does it? |
| | | Q6d. When does it? Q6e. Is it annually, quarterly, or both? |
| | | Q7. Does your company respond to local communities' call for meetings? |
| | Why does CSR in Africa differ from that of developed economies? | <u>Perceptions of CSR in developed/developing countries</u> Q1a. Do your oil company have different CSR practices in the Niger Delta and developed countries such as the UK, USA and Germany? |
| | | Q1b. If yes, why are the practices different? |
| | | Q2a. Does your oil company's CSR emphasise more socioeconomic sustainability or environmental sustainability or both in the Niger Delta? |
| | | Q2b. If yes, what are the reasons? |

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| | | <p>Q3. Do you communicate the CSR performance of your oil company to the local communities in the Niger Delta, the Nigerian government and other stakeholders?</p> |
| | | <p>Q4. Which of the following best describes the strata of your oil company's CSR priorities in order of importance to the local communities in the Niger Delta?</p> <p>(A)</p> <p>i. Economic responsibilities</p> <p>ii. Legal responsibilities</p> <p>iii. Ethical responsibilities</p> <p>iv. Philanthropic responsibilities</p> |
| | | <p>(B)</p> <p>i. Economic responsibilities</p> <p>ii Philanthropic responsibilities</p> <p>iii. Legal responsibilities</p> |

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| | | iv. Ethical responsibilities |
| | Why does CSR in Africa differ from that of developed economies? | <u>CSR regulations</u> Q1a. Is there any ministry created by the Nigerian government charged with the responsibility of regulating the CSR activities of your oil company in the Niger Delta? |
| | | Q1b. If yes, how strict are the compliance policies of the ministry compared to those of the developed countries? |
| | | Q2. Does the Nigerian government impose sanctions on oil companies for failing to comply with national CSR policies in the Niger Delta? |
| | | Q3a. Does your oil company have in place self-regulatory frameworks on CSR in the Niger Delta? |
| | | Q3b. If yes, how does this work? |
| | | Q3c. Are your company's CSR regulations guided by the principle of the greatest good to the greatest number? |
| | Why does CSR in Africa differ from | <u>Cultural perspectives</u> |

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| | those of developed economies? | Q1a. Do the culture, values, norms and traditions of the local communities in the Niger Delta impact on the CSR of your oil company in the Niger Delta region? |
| | | Q1b. If yes, how do these influence the CSR of your oil company in the local communities in the Niger Delta? |
| | | Q2a. Do culture, values and norms of local communities impact on CSR of your oil company in the developed countries? |
| | | Q2b. If yes, how do these impact on CSR of your company? |
| | | Q2c. How does your company negotiate among cultural, political and economic stakeholders across local communities in the Niger Delta? |
| | | <p><u>African management theories</u></p> <p>Q3a. Is your oil company aware of African management theories in corporate social responsibility consisting of ‘Ubuntu, African</p> |

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| | | renaissance and Omoluwabi’? |
| | | <p>Q3b. ‘Ubuntu’ means ‘a person is a person because of or through others’.</p> <p>Ubuntu in African culture implies compassion, reciprocity, dignity, humanity and mutuality with an interest of bringing the community together with common justice and mutual caring.</p> <p>Q3c. How does your organisation apply these in the context of corporate social responsibility in the local communities of the Niger Delta?</p> |
| | | <p>Q3d. African renaissance</p> <p>The fundamental propositions are to meet the basic needs of people, end poverty and improve quality of life. This may be achieved by access to education, adequate health care delivery, housing, clean pipe-borne water, modern sanitation, improved human rights and elimination of all forms of discrimination.</p> <p>Q3e. How does your oil company explore these in the local</p> |

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| | | communities of the Niger Delta? |
| | | <p>Q3f. Omoluwabi</p> <p>Depicts exploration of good character as an organising principle in society based on moral values.</p> <p>Q3g. How relevant is this concept in the CSR of your company?</p> |

- **Research/interview questions for local communities, Nigerian government representatives in the oil and gas sector and other stakeholders**

| | <u>Research Questions</u> | <u>Interview Questions</u> |
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| 1.1. Human Rights | 2. How do the stakeholders perceive CSR/sustainable development in the Niger Delta? | Q1a. Do your local communities in the Niger Delta engage in fishing and farming? |
| | | Q1b. If yes, are farming and fishing increasing or |

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| | | decreasing? |
| | | Q2. Do your local communities have clean water? |
| | | Q3. Do your local communities have good education? |
| | | Q5. Do your local communities have access to health facilities? |
| | | Q6. Do your local communities have good roads? |
| | | Q7. Do your local communities have good housing facilities? |
| | | Q8. Do your local communities have stable electricity supply? |
| | | Q9a. Who provides them? Q9b. Is it the government? Q9c. Is it the oil companies? Q9d. Is it both? |
| | | Q10. How would you describe the state of infrastructural facilities in your local communities in the Niger Delta? |
| | | Q11. Do the oil companies provide employment to indigenes of your local communities in the Niger Delta? |
| | | Q12. Do the oil companies provide equal opportunities for jobs? |
| | | Q13a. Do the oil companies prioritise some local communities more than others in the Niger Delta? |
| | | Q13b. If yes, how does this occur? |
| | | Q14a. Does the operation of the oil companies affect |

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| | | the freedom to life such as movement of your local communities in the Niger Delta? |
| | | Q14b. If yes, how? |
| | | Q15a. Have your local communities ever been involved in conflicts among themselves? |
| | | Q15b. If yes, what are the causes of these? |
| | | Q15c. Have your local communities ever been involved in conflicts with the oil companies in the Niger Delta? |
| | | Q15d. If yes, what are the causes of these? |
| | 1.2. <u>Corporate citizenship</u> | Q1a. Do the oil companies voluntarily provide your local communities with welfare services? |
| | | Q1b. If yes, what are they? |
| | | Q2a. Do the oil companies alleviate poverty in your local communities in the Niger Delta? Q2b. If so, how? |
| | | Q2c. Do the oil companies empower the youths, women and children in your local communities in the Niger Delta? |
| | 1.3. <u>Governance</u> | Q1a. Do the oil companies communicate with your local communities about the welfare services they intend to offer before providing these? |
| | | Q.1b. If yes, how are these done? |
| | | Q2a. Do the oil companies partner with your local communities when providing these services? |
| | | Q2b. Do the oil companies regularly meet with your local communities to discuss the way forward on the |

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| | | welfare schemes that will impact on the local communities? |
| | <u>Voice and agency</u> | Q3a. Do the local community chiefs negotiate with the government on behalf of your local communities in the Niger Delta? |
| | | Q3b. Do the local community chiefs negotiate with the oil companies on behalf of your local communities in the Niger Delta? |
| | | Q4a. Do the oil companies generally listen to your communities? |
| | | Q4b. Do the oil companies implement the agreements reached between them and your local communities? |
| | | Q4c Do your communities agree with the negotiations reach between the local chiefs, the oil companies and the government? |
| | | Q4d. If yes, how does this work? |
| | | Q5. What are the roles of local community chiefs in your local communities in the Niger Delta? |
| | | Q6a. How would you describe the relationship of your local communities with the oil companies? |
| | | Q6b. How cordial is the relationship of your local communities with the Nigerian government? |

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| | | <i>Interview Questions</i> |
| 1.4. Sustainability | | |
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| | | <p><u>Economic sustainability</u></p> <p>Q1. Does the corporate social responsibility provided by the oil companies improve the standard of living of your local communities in the Niger Delta?</p> |
| | | <p><u>Social sustainability</u></p> <p>Q1. Do the welfare schemes provided by the oil companies meet the expectations of the local communities in the Niger Delta?</p> |
| | | <p><u>Environmental sustainability</u></p> <p>Q1a. Do the exploration operations by oil companies affect the environment of your local communities in the Niger Delta?</p> |
| | | Q1b. If yes, how does this affect the livelihood of the people of your local communities in the Niger Delta? |
| | | Q2a. Do the oil companies clean up the oil spills of the affected local communities in the Niger Delta? |
| | | Q2b. If yes, how regularly do they do this? |
| | | <p>Q2c. Does it take a long time for the oil companies to respond when oil leakage occurs in the local communities of the Niger Delta?</p> <p>Q2d. If yes, how long?</p> |

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| | | Q2e. What is the cause of oil leakages in the local communities in the Niger Delta? |
| | | Q3a. Do the oil companies remediate the affected areas of your local communities? Q3b. If yes, how regularly do they do this? |
| | | Q4. Does the Nigerian government hold the oil companies accountable for damages done to your local communities? |
| | 1.5 Ethics (doing what is good, just and fair, and minimising what is wrong / utilitarian, justice and rights) | Q1a. Do the oil companies pay compensation to the local communities that are affected by their operations in the Niger Delta? |
| | | Q1b. Do your local communities affected by the operations of the oil companies receive compensation without difficulties? |
| | | Q1c. Recently, how many local communities are affected by operations of the oil companies and compensated? |

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| | <u>Research Questions</u> | <u>Interview Questions</u> |
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| 1.5 Ethical (doing what is good, just, and fair, and minimising what is wrong / utilitarian, justice and equity) | | Q2a. Do your local communities assist the oil companies operating in your local communities in the Niger Delta? |
| | | Q2b. If yes, how do they assist them? |
| | | Q3. How can you describe the relationships of your local communities with the oil companies and the Nigerian government? |
| | 1.6. Legal (to be law-abiding) | Q1a. Do you understand the legal duties of oil companies? |
| | | Q1b. Has your local community ever sued the oil companies operating within your local communities? |
| | | Q1c. If so, why? |
| | How do the stakeholders perceive the corporate social responsibility and sustainable development in the Niger Delta? | Representatives of the Nigerian government in the oil and gas sector (Nigeria National Petroleum Corporation & Department of Petroleum Resources) |
| | | Q1a. Do you have CSR department in your organisation? |
| | | Q1b. Is CSR integrated into your organisation's strategy? |
| | | Q1c. If yes, how does it contribute to the local communities in the Niger Delta? |
| | <u>How oil was discovered in</u> | Q2a. The Nigeria Bitumen Corporation |

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| | <u>Nigeria</u> | <p>was the first to carry out oil exploration and production in Nigeria in 1908.</p> <p>Q2b. If yes, is it a German-registered company? Or British-registered company?</p> |
| | | <p>Q2c. Was it the outbreak of the Second World War or liquidation that led to the termination of the exploration activities of the Nigeria Bitumen Corporation?</p> |
| | <u>Number of oil companies operating in the Niger Delta</u> | <p>3. How many major oil companies are operating in the Niger Delta at present?</p> |
| | | <p>Q4a. Do the oil companies operating in the Niger Delta region embark on CSR activities?</p> |
| | | <p>Q4b. Do the oil companies integrate CSR into their respective policies?</p> |
| | <u>Sustainability</u> | <p>Q4c. Do the CSR activities of the oil companies address sustainable challenges of the local communities in the Niger Delta?</p> |
| | | <p>Q5. Do the oil companies report their social performance in the local communities of the Niger Delta to your organisation?</p> |
| | <u>CSR regulations</u> | <p>Q6a. Does your organisation regulate the CSR activities of the oil companies in the Niger Delta?</p> |
| | | <p>Q6b. If yes, are the CSR regulations of the</p> |

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| | | oil companies guided by greatest good to the greatest number? |
| | | Q7. Does your organisation play any role to preserve the environment of the local communities in the Niger Delta? |
| | | Q8a. Does the Nigerian government hold oil companies accountable for violations of human rights in the local communities of the Niger Delta? |
| | | Q8b. If yes, how is this done? |
| | <u>Governance</u> | Q15. Does your organisation dialogue with the local communities about issues that will impact on their lives? |
| | | Q16. What roles do the chiefs of the local communities play in the negotiation process between your organisation and the oil companies in the Niger Delta? |
| | <u>Petroleum Industry Bill</u> | Q17. In 2011 there was a proposal to pass the Petroleum Industry Bill (PIB) aimed at mandatory CSR by oil companies operating in Nigeria especially in the Niger Delta. Has this been passed? |
| | <u>Number of oil fields</u> | Q18. How many oil fields are there at present in the Niger Delta? |
| | | Q19. How many oil fields are operational at present? |
| | <u>Nigerian refineries & state of</u> | Q20. Nigeria has three refineries located |

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| | <u>refined petroleum import</u> | at Port Harcourt, Warri and Kaduna? |
| | | Q21. If yes, why does the Nigerian government export crude oil and import refined petroleum products? |
| | | Q22. In 2010 there was a deal between the Nigerian government and China to build three refineries in Kogi, Bayelsa and Lagos states worth £23 billion. Q23. If yes, have these refineries commenced operation? |
| | <u>Production capacity</u> | Q23. How successful is the plan of the Nigerian government to increase the production capacity from 35.2 billion bpd to 40 billion bpd?. |
| | <u>Search for oil</u> | Q24a. In 2011 there was intensive search for commercial hydrocarbon to increase the crude production capacity by Nigeria National Petroleum Corporation and National Frontier Exploration Service (NNPC and NFES) to search for crude oil in Bida, Sokoto Basin, Chad and Benue. Q24b. If yes, are these successful? |
| | <u>Boosting Nigerian Infrastructure</u> | Q25a. On 1 st January, 2012, the President of Nigeria pronounced the removal of oil subsidy in order to boost Nigerian infrastructure. Q25b. If yes, has this been achieved? |
| | <u>Constraints in the Niger Delta</u> | Q26. The resource curse thesis in the |

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| | | <p>Niger Delta region is characterised by:</p> <p>Poverty</p> <p>Inequality</p> <p>Unemployment</p> <p>Slow economic growth</p> <p>Risk of outbreak of civil war</p> <p>Uncertainties and abnormalities and low rate of democratisation</p> <p>Dutch disease and other impediments</p> <p>As the sole concessionaire in charge of operational licences of the MNOCs, what has been your role in ensuring that your organisation and MNOCs respect human rights and give back effective CSR to the local communities?</p> |
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APPENDIX B

- List of archival documents accessed**

| | Title of Documents | Date | Authors | Web link |
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| 5. | Earth's Natural Resources: A New Paradigm For Sustainable Development | December, 2006 | Zik Igbadi | |
| 6. | Engaging the Petroleum Industry Bill Process, Law Makers and CSOs Comprehensive Checklist, Environmental Rights Action/Friends of the Earth Nigeria | 2012 | ERA/FoE Nigeria | www.eraction.org |
| 7. | Environmental Governance: Climate Change and the Quest for Alternatives, Edited by Godwin Uyi Ojo, Environmental Rights Action/Friends of the Earth, Nigeria | 2012 | ERA/FoE Nigeria | www.eraction.org |
| 8. | Fulani Dynasty in Nupe Kingdom | 2004 | Mohammed Baba Saidu | |
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| 11. | Nigeria: Learning Clean Development Mechanism (CDM0) Lessons, Policy Brief #2, Oilwatch Environmental Rights Action/Friends Of The Earth, Nigeria | September, 2012 | ERA/FoE Nigeria | www.eration.org |
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| 13. | Nigeria: The Travesty of Oil and Gas Wealth | 2006 | Catholic Relief Services | |
| 14. | Oil Pipeline and Environmental Impact Assessment (EIA), ERA Brief 1 | 2011 | ERA/FoE Nigeria | www.eration.org |
| 15. | Strengthening Oil Revenue Management in Niger Delta, first year report | September, 2008–October, | ANEEJ | www.aneej.org |

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| | | 2009 | | |
| 16. | Sustaining Fiscal Governance Reform in Niger Delta States, Policy Brief: Series No: 003 | | | www.aneej.org |
| 18. | The Muhammadan Emirates | 1930 | S.J. Hodgben | |
| 19 | The Niger Delta Report to the RIO+20 Summit: United Nations Conference on Sustainable Development. Submitted by BRACED Commission Towards Ensuring Sustainable Development in the Niger Delta | March, 2012 | BRACED | |
| 20. | The Nupe And Their Neighbours From the 14 th Century | 1992 | Saidu Ibrahim | |
| 21 | Towards Sustainable Development in the Solid Minerals, Oil, Gas and Energy Sectors | 2004 | Zik Boniwe Igbadi | |

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| 2. | | Counting the Losses of Flow Stations Shutdown: Niger-Deltans and Indigenes of Local Communities in Dire Strait | 15 th March, 2006 | Eubaldus Enahoro | |
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| 6. | | The Niger Delta, Oil and Nigeria | | Zik Igbadì | |

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| 7. | | Oil: The Niger Delta Albatross | | Ageli I. Egeh | |
| 8. | | CSOs/Community Dialogue | | Michael Odigbe | |
| 9. | | Over Delta Oil Revenue | | ANNEJ | |
| 10. | | Niger Delta: Kidnapping of Expatriates and the Rise in Illegal Bunkering Activities | 7 th March, 2006 | Eubaldus Enahoro | |
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| <u>13</u> | <u>VANGUARD</u> | Dutch Court Finds Shell Guilty of Oil Pollution in Nigeria | 31 st January, 2013 | Clara Nwachukwu, Henry Umoru & Joseph Erunke | http://www.vanguardngr.com/ |
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| 21. | | Bayelsa Community Petitions UN, Alleged Oil Spillage by Agip, Shell | 24 th April, 2013 | Wille Etim | |
| 22. | | Edo Communities Feud Over Oil Well | 8 th October, 2012 | Alemma-Ozioruwa Aliu, | http://www.ngrguardiannews.com/index.php?option=com_content/7v |

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| 24. | <u>PUNCH</u> | Oil Spill Has Ruined US: Bayelsa Communities | 22 nd January, 2012 | Mike Odiegwu, | www.punchng.com/ |
| 25. | | Spill: Dutch Court Orders Shell to Compensate Nigerian Farmer | 31 st January, 2013 | | |
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| 29. | | Communities Have Right to Refuse Oil Exploitation | 16 th September, 2004 | Nnimmo Bassey | |
| 30. | | Shell Oil Spill Devastates Bayelsa Community | 16 th August, 2012 | Igoniko Oduma | |
| 31. | | Court Orders FG to Pay Odi | 20 th | Daniel Abia | |

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| | | Community N37b Over 1999 Invasion | February, 2013 | | |
| 32. | | ERA/FoEN Accuses Agip of Negligence Over Pipeline Leaks | 9 th April, 2013 | Adeola Yusuf | |
| 33. | | 4000 Spills Recorded in Niger Delta, Says ERA | 2 nd February, 2005 | Daniel Alabrah | |
| 34. | <u>NATIONAL MIRROR</u> | Negative Brand Perception Dog's Oil Firms Despite Huge CSR Spend | 25 th April, 2013 | Adedeji Ademigbuji | www.nationalmirroronline.net |
| 35. | <u>THE NATION</u> | Shell Indictment: Shell Guilty of Oil Spill | 31 st January, 2013 | | |
| 36. | | Compensation to be Negotiated | 31 st January, 2013 | Allard Castelein | |
| 37. | <u>DAILY NEWSWATCH</u> | Waiting for Shell, FG to Clean up Ogoni | 4 th March, 2013 | Nnimmo Bassey | www.mydailynewswatchng.com |
| 38. | <u>NIGERIAN COMPASS ENERGY</u> | FG Unserious About Solving Niger Delta Problems, Says ERA | 4 th August, 2009 | Charles Okonji | |
| 39. | | ERA, Others Call for EIA on | 8 th | Charles Okonji | |

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|-----|------------------------------------|---|---------------------------------|----------------------|--|
| | | Bitumen Communities | November, 2011 | | |
| 40. | | Environmental Groups Call on UNEP to Release Report on Ogoni Pollution | 26 th July, 2011 | Charles Okonji | |
| 41. | | Bitumen Exploitation Has Environment, Health Implications | 11 th July, 2011 | Charles Okonji | |
| 42. | | ANEEJ, Others Demand Jacking of Derivation to 50 Percent | | | |
| 43. | | Reps Commends Total's CSR Programmes | | | |
| 44. | <u>COMPASS BUSINESS</u> | Gas Explosion: ERA Wants FG to Institute Legal Action Against Chevron (Seek Compensation for affected Communities) | 28 th March, 2012 | Appolonia Adeyemi | |
| 45 | <u>COMPASS NEWS</u> | Oil Spills: ERA/FoEN Demands N51b Compensation From Mobil Producing (Issues 21-Days | 11 th July, 2011 | Bassey Anthony | |

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| | | Ultimatum) | | | |
| 46. | <u>THE RELIANCE</u> | ERA Lambast Oil Firms in Nigeria | 31 st December, 2011 | Nnimmo Bassey | |

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| 1. | Environmental Impact Issue # 19 (A Newsletter of the Environmental Rights Action/Friends of the Earth, Nigeria) | UNEP Environmental Assessment Report on Ogoniland: One year of Inaction | July, 2013 | Professor Richard Steiner | www.eraction.org ; |
| 2. | Environmental Impact Issue #3 (A Newsletter of the Environmental Rights Action/Friends of the Earth, Nigeria) | Host Communities Network | September, 2008 | Nnimmo Bassey, Jeff Conant, Larry Bowoto, Alagoa Morris | www.eraction.org ; |
| 3. | Newswatch | A New Deal on Niger Delta | 17 th August, 2009 | Chris Ajaero | www.newswatchngr.com |
| 4. | Newswatch | Neglect of oil Communities: Rage of the people | 18 th December, 1995 | Sam Olukoya | www.newswatchngr.com |
| 5. | Newswatch | The Politics of Niger Delta Amnesty Deal | 24 th August, 2009 | Chris Ajaero & Godfrey | www.newswatchngr.com |

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| | | | | Azubuike | |
| 6. | Newswatch | Peace Not in Sight | 13 th July, 2009 | Dike Onwuamaeze | www.newswatchngr.com |
| 7. | Newswatch | Ex- militants on Rampage | 7 th December, 2009 | Godfrey Azubuike | www.newswatchngr.com |
| 8. | Newswatch | Road to New Niger Delta: The Yar'Adua Blueprint | 9 th November, 2009 | Chris Ajaero | www.newswatchngr.com |
| 9. | TELL | Tension in the Niger Delta | 30 th December, 2002 | Ibim Semenitari | |
| 10. | NPDC Newsletter (The In-House Journal of Nigeria Petroleum Development Company Limited) | Petroleum Minister Commissions NPDC OREDO IGHF | Fourth Quarter, 2012 | Ugo Atugbokoh | http://npdc.npdgroup.com |
| 11. | Environmental Impact Issue # 15 (A Newsletter of Environmental Rights Action/Friends of the Earth, Nigeria) | Security and Health Issues in the Niger Delta | July, 2011 | Morris Alagoa | www.environmentalrightsaction.org |

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| 12. | NPDC Newsletter (The In-House Journal of Nigeria Petroleum Development Company Limited) | M.D. NPDC Settles Down for Business | Third Quarter, 2012 | Ugo Atugbokoh | http://npdc.npdgroup.com |
| 13. | NAPIMS news (An-In House Journal of the National Petroleum Investment Management Service) | Nigeria's Oil & GAS Industry on the Path of Sustained Growth | First Quarter, 2013 | Helen Nkwo | |
| 14. | PAN OCEAN NEWSBAY (A publication of Pan Ocean Oil Corporation, Vol 3. No. 1) | STRIDES OF SUCCESS | February, 2013 | Edith Okujagu | www.panoceanoilnigeria.com |
| 14. | DUBRI OIL COMPANY LIMITED | Corporate Social Responsibility Profile | July, 2013 | Clement Seweje | www.dubri.com/history.htm |
| 15. | NPDC newsletter (The In-House Journal of Nigerian Petroleum Development Company Limited) | MD, NPDC Visits OZORO KINGDOM | First Quarter, 2012 | Ugo Antugboko | http://npdc.npdgroup.com |

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|-----|--|---|----------------------------|-----------------------|---|

APPENDIX C

- **List of oil exploration companies in Nigeria**

1. Addax
2. Afren Energy Resources
3. African Petroleum Oilfield Services
4. Amni International Petroleum Development Company
5. Amosco
6. Ana Industries Limited
7. BG Technical Limited
8. Bell Oil and Gas
9. Brawal Shipping (Oil)
10. Camoc (Allied Energy Resources)
11. CGG Ventures
12. Chevron
13. Ciskon
14. Conoco Philips
15. Conoil
16. Department of Petroleum Resources
17. Drillog Petro-Dynamics
18. Dubri Oil Limited
19. Emex Systems
20. Ensco Drilling
21. Equator Exploration Limited

22. Express Petroleum and Gas Limited
23. Expro
24. Exxon Mobil
25. Famfa Oil
26. First Fossil Nigeria
27. Fugro Nigeria Limited
28. Global Energy Group
29. Hardy Oil and Gas Plc
30. Intels Services Nigeria
31. Kasolute
32. Ladol
33. Maben Limited
34. Melvon
35. Mi Swaco
36. Nexen Inc.
37. Nigeria National Petroleum Corporation
38. Nigeria Petroleum Development Company
39. Nigerian Association of Petroleum Exploration
40. Oil Data
41. Oil Test Services
42. Oriental Energy Resources Limited
43. Pan Ocean Oil Corporation Nigeria
44. Petrobras
45. Petroleum Geo Services
46. Petroleum Technology Association of Nigeria
47. Petrolog

48. Roxar
49. Schlumberger
50. Shake Island Integrated Free Zone
51. Shell
52. Socothern Group
53. Solgas Petroleum Limited
54. Sonta Atlantic Petroleum Limited
55. Sowsco
56. Statoil
57. Sunlink Petroleum Limited
58. Survicom
59. Technip
60. Total
61. United Geo Physical
62. Weafri
63. WOG Allied Services Nigeria Limited
64. Zakus Industries Limited

• **List of international oil companies in Nigeria**

1. Abacan
2. Agip Energy and Natural Resources
3. Amoco Corporation
4. Bought over Ashland Oil Nigeria Limited
5. Chevron Exploration and Production Company

6. Chevron Nigeria
7. Conoco Philips
8. Elf Petroleum Nigeria Limited
9. Esso Exploration and Production Nigeria Limited
10. Mobil Producing Nigeria Unlimited
11. Pan Ocean Oil Corporation
12. Philips
13. Shell Nigeria Exploration and Production Company Limited
14. Shell Petroleum Development Company Limited
15. Statoil/BP Alliance
16. Texaco Outer Shelf Nigeria Limited
17. Texaco Overseas Nigeria Petroleum Company Unlimited
18. Total (Nigeria) Exploration and Production Company Limited

• **List of indigenous oil companies in Nigeria**

1. Alfred Global Resources
2. Alfred James Petroleum
3. Allied Energy Resources Nigeria Limited
4. Amni International Petroleum
5. Ashbelt
6. Atlas Petroleum International Nigeria Limited
7. Cavendish Petroleum Nigeria Limited
8. Centrica/CCA/All Bright Consortium
9. Cleanwater Consortium
10. Consolidated Oil

11. Continental Oil and Gas Limited
12. Crownwell Petroleum Limited
13. Dajo Oil Limited
14. Dubri Oil Company Limited
15. Ekcrest E&P Limited
16. Emerald Energy Resources
17. Enageed Resources Limited
18. Express Petroleum
19. Famfa Oil Limited
20. First Hydrocarbon
21. Gas Transmission & Power Limited
22. Global Energy Company Limited
23. Malabu
24. Moni Pulo
25. Neconde
26. New Nigerian Development Company
27. Niger Delta Western
28. NorthEast Petroleum
29. Oando
30. Oil and Gas Limited
31. Oil World
32. Optimum Petroleum
33. Oranto Petroleum Limited
34. Orient Energy
35. Oriental Energy Resources
36. Pan Ocean

37. Peak Petroleum
38. Sahara Energy Exploration
39. Seplat
40. Soglas Nigeria Limited
41. South Atlantic (SAPETRO)
42. Starcrest
43. Starcrest Cross River Energy & NPDC
44. Summit Oil Nigeria Limited
45. Sunlink Petroleum
46. Transcorp
47. Yinka Folawiyo Petroleum Company
48. Zebbra Energy Limited

- **Marginal field operators**

1. All Grace Energy
2. Associated Oil & Dansaki Petroleum
3. Bayelsa Oil Company
4. Bicta Energy
5. Britania U-Nigeria
6. Chorus Energy
7. Del Sigma
8. Energia Limited & Oando Production Development Limited
9. Eurafric Energy Limited
10. Excel Exploration and Development Company
11. Frontier Oil Limited

12. Goland Petroleum Development Company
13. Green Energy Internal Limited
14. Guarantee Petroleum & Owena Oil
15. Independent Energy Limited
16. Midwestern Oil and Gas & Suntrust Oil
17. Millenium Oil and Gas
18. Mondeo E & P
19. Network E & P
20. Niger Delta Company
21. Oriental Energy
22. Pillar Oil Limited
23. Platform Petroleum Limited
24. Prime Petroleum Limited and Suffolk Petroleum
25. Sahara Energy and African Oil Limited
26. Sogenal Limited
27. Universal Energy
28. Watersmith Petroman & Morris Petroleum

APPENDIX D

- **Tables of online CSR/SD policies and practices of oil companies operating in the Niger Delta**
- **Table 2: Environmental policies in the Niger Delta / relevance in the Niger Delta**

| |
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| 1.Nigerian Petroleum Development Company Limited (NPDC) |
| Environment |
| The environment is a global village; the requirements to sustain the environment and tackle environmental challenges remain urgent and cannot be compromised. Protecting and preserving the environment is an important factor for business decision making and when we consider any new project or modification to existing operations. |
| Climate change is of increasing global concern and has become a key sustainable development issue globally in the Oil and Gas industry. As a corporate responsible citizen, we play our role in tackling the global burden of climate change through our strategic approach focused on efficient use of energy and natural resources, biodiversity protection, reduction of atmospheric emission and reducing environmental impact through new and ongoing initiatives, awareness campaigns/programs and technologies. |
| NNPC is also active in promoting HSE awareness amongst staff through the circulation of monthly HSE themes and learning from incidents (LFI), celebration of World Environment Day (WED), Annual HSE Week and organizing other HSE campaigns and participatory activities for staff to keep them informed and updated on HSE matters. |
| 2. Dubri Oil Company Limited (DOCL) |

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| Integrated in HSE |
| 3. Pan Ocean Oil Corporation (Nigeria) Limited |
| Integrated in HSE |
| |
| 4.Oriental Energy Resources |
| Fast Facts |
| Completed environmental impact assessment |
| No spills recorded to date |
| Solid waste managed cradle to grave |
| Plans in place, Oil Spill Management and Contingency Plans in place |
| 2,144,890 man-hours with no lost time injuries |
| |
| 5.Afren Global Energy Resources |
| <i>Our Focus areas:</i> |
| Greenhouse gas and other atmosphere |
| Flare gas |
| Biodiversity |
| Water use |
| Pollution risks |
| Discharge to water |
| Reuse, recycling and waste management |
| |
| 6.Shell Petroleum Development Company Limited (SPDC) |
| Environmental |
| Meeting the world's growing energy needs and protecting the environment requires new technology, partnerships and ways of operating. We are sharpening our focus on ways to limit the environmental impact of our operations. Through partnerships with environmental experts |

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| and by using new technologies we are finding ways to help reduce the impact of our operations on the environment. |
| Managing Environmental impacts |
| <p><i>Biodiversity</i></p> <p>Protecting biodiversity is an important factor when we consider any new major project or large expansion to existing operations.</p> <p>We work in partnership with leading conservation groups, including Wetlands International and the International Union for Conservation of Nature (IUCN).</p> <p>If an area is rich in biodiversity we engage with local communities and experts and develop biodiversity action plans.</p> <p>We also consider the possible impact on benefits that ecosystems provide such as purifying water and air and sustaining food supplies to communities.</p> <p>The research we support includes, for example, helping to identify endangered species.</p> <p><i>Preventing Spills</i></p> <p>Spills of oil and oil products can harm the environment and put our employees and neighbouring communities at risk.</p> <p>Over the years we have reduced the amount spilled at our operations for reasons we can control, like corrosion or operational failures.</p> <p>To help prevent spills from oil tankers, our <u>ship quality assurance standard</u> sets out requirements for the ships we use.</p> <p>For example, we require larger ocean vessels to have double hulls.</p> <p><i>Cleaner Air</i></p> <p>We have made efforts to reduce the emissions of local pollutants from our operations.</p> <p>This has involved a wide range of investments to upgrade facilities, install cleaner-burning</p> |

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| equipment and sulphur dioxide capture technology. |
| <p><i>Reducing Water Use</i></p> <p>We are finding innovative ways to make the most of the water needed in our operations.</p> <p>We design and operate our facilities – using advanced technology and new approaches – to help manage our water use.</p> <p>Our Pearl GTL plant in Qatar, for example, has been designed to take no fresh water from its arid surroundings.</p> <p>The Schoonebeek project in the Netherlands will reuse municipal waste water to make steam.</p> <p>We are also active in global initiatives guiding sustainable water management in the private sector.</p> <p>For example, Shell is leading a project with the World Business Council for Sustainable Development to develop insights into the linkages between water and energy systems to help prepare for future challenges.</p> |
| |
| <p><i>Remediation Issues in the Niger Delta</i></p> <p>In Shell in Nigeria, we operate in a way that reduces as far as possible the environmental impact of our activities. We also look for ways to bring environmental and social benefits to the communities where we operate. The standards and practices we use are similar to other Shell operations anywhere in the world. Where land is impacted by oil spills despite the prevention systems in place, we clean up as quickly as possible and remediate the land.</p> |
| |
| <p><i>Climate Change and Shell</i></p> <p>The need to tackle climate change remains urgent. Shell believes the best way to secure a more sustainable energy future is to take action today.</p> |

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| <p>Our efforts focus on four areas:</p> <ul style="list-style-type: none"> • producing more natural gas; • developing lower-carbon biofuels; • helping to advance carbon capture and storage (CCS) technologies; • working to improve energy |
| 7. Chevron Exploration and Production Company |
| <i>Environmental</i> |
| <p>We believe that preserving a clean, safe, healthy environment can go hand in hand with meeting the world's energy needs. We are continually evaluating and striving to improve our processes to reduce pollution and waste, conserve natural resources, and minimize potential negative environmental impacts of our activities and operations.</p> |
| <p>From our everyday actions to major capital investments, we are dedicated to making the right decisions for the environment. We use our Operational Excellence Management System to identify and manage risks and to improve reliability and safety in all our operations.</p> |
| <i>Climate Change</i> |
| <p>Because we share the public concern about climate change and our planet, we invest in programs to reduce greenhouse gas emissions and improve energy efficiency.</p> |
| <i>Fresh Water</i> |
| <p>Water is necessary for producing energy. As consumers of this vital resource, we take seriously our responsibility to manage and conserve fresh water as effectively as possible.</p> |
| <i>Biodiversity</i> |
| <p>In all our operations, Chevron strives to conserve biological diversity by avoiding or reducing</p> |

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| potential harm to sensitive species, habitats and ecosystems. |
| |
| <i>Energy Efficiency</i> |
| We strive both to use energy as efficiently as possible in our own operations, and to help others improve their energy efficiency |
| |
| 8. TOTAL (Nigeria) Exploration and Production Company Limited |
| This environmental policy is the foundation of the EMS and states the Company's commitments and principles to sound environmental performance through the provision of a framework for action and the setting of environmental objectives and targets. Maintaining the quality of the Environment is of high priority to Total Upstream Companies in Nigeria. We are committed to safeguarding the environment and the prevention of pollution through the implementation of an effective Environmental Management System (EMS). |
| |
| 9. Mobil Producing Nigeria Unlimited |
| Environmental Performance |
| <i>Air Emissions Reductions</i> |
| We continue to seek opportunities to reduce environmental impacts from our operations by reducing air emissions. |
| <i>Environmental Stewardship Through responsible Management</i> |
| Our commitment to operating in an environmentally responsible manner is anchored in our Environment Policy, which fosters appropriate operating practices and training, and requires our facilities to be designed, operated and managed with the goal of preventing environmental incidents. |
| <i>Managing Arctic Resources</i> |
| The Arctic represents the world's largest remaining region of undiscovered conventional oil and gas resources. |

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| Developing these resources presents technological, environmental and social challenges. ExxonMobil has a strong portfolio of assets and opportunities in a range of Arctic environments, some of which we have held for 30 years or more. The company's efforts in the Arctic begin by gaining a scientific understanding of the environment |
| <i>Waste Management</i> |
| Our first waste management priority is to avoid its generation, and then to reuse or recycle waste wherever possible. |
| <i>Ecosystem Services</i> |
| <i>Protecting Biodiversity</i> |
| ExxonMobil uses a systematic approach for protecting biodiversity and ecosystem services that recognizes factors such as the rarity of individual species, their habitats, their vulnerability and their cultural value. |
| <i>Freshwater Management</i> |
| In the communities where we operate, we evaluate how our activities impact water quality, availability and demand. |
| We actively manage our water consumption and seek opportunities to reduce, reuse and recycle water in our operations. |
| <i>Site Remediation</i> |
| Efficiently remediating and restoring disturbed land is central to reducing our overall environmental impact. To that end, we use a consistent approach that leverages ExxonMobil's remediation practices around the world. |
| <i>Environmental Drilling Initiatives</i> |
| It is Exxon Mobil Corporation's policy to conduct its business in a manner that is compatible with the balanced environmental and economic needs of the communities in which it operates. |
| <i>Spill Performance</i> |
| When assessing potential impacts to water or land, spill prevention is a top priority. |
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| 10. Agip Energy and Natural Resources Nigeria |
| Management and protection of environment |
| <i>Strategy</i> |
| Certified and integrated HSE management systems |
| Progressive reduction in impacts |
| Efficient use of resources |
| Process innovation |
| <i>Protection of Ecosystems and Biodiversity</i> |
| Operational excellence and the adoption of best practices |
| <i>Policies</i> |
| Code of Ethics |
| "Sustainability" policy |
| "Integrity in our operations" policy |
| "Operational excellence" policy |
| <i>Processes and Procedures</i> |
| Management of energy efficiency and monitoring of compliance on market instruments for the environment |
| Accounting and reporting protocol for greenhouse gases (GHG) |
| Waste management |
| Water resource management |
| Emission Trading System (ETS) |
| Conservation of biodiversity and ecosystems |
| <i>Skills and Competencies</i> |
| HSE professional family |
| HSE information, education and training |
| Knowledge management and communities of practice |
| Plant open day |

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| Definition of standards with the institutions |
| Information for suppliers and customers |
| Raising awareness in schools |
| Membership of working groups |
| Performance |
| MBOs on environmental topics |
| Performance targets |
| Quarterly reporting system |
| Six-monthly review |
| Final report |
| Compliance audit |

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9. Mobil Producing Nigeria Unlimited: M.P.N.U (2014) Community and Development @ <http://www.exxonmobil.com.ng/Nigeria-English/PA/community.aspx>
10. Agip Energy and Natural Resources Nigeria: A.E.N.R.N (2014) Sustainability policy, territory and communities, and environment @ http://www.eni.com/en_NG/sustainability/sustainability.html

- **Table 3: Employment policies and practices / relevance in the Niger Delta**

| | |
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| 1.Nigerian Petroleum Development Company Limited (NPDC) | No information available online |
| 2.Dubri Oil Company Limited (DOCL) | |
| <i>Employment/Contract Awards</i> | |
| Some indigenes of the community are engaged by the company. On security youths are engaged as community host watch guards. | |
| | |
| 3. Pan Ocean Oil Corporation | No information available online |
| | |
| 4. Oriental Energy Resource | |
| The determining factors in recruiting, hiring, selecting and placing employees are the overall requirements of the job. Oriental will not discriminate against any one on the basis of race, religion, colour, national or ethnic origin, age, sex, disability, political preference, membership or non-membership of any lawful organization, or on any other basis prohibited by Nigerian laws or regulations. | |
| | |
| 5. Afren Global Energy Resources | |
| We support the principles contained within the UN Declaration on the Rights of Indigenous Peoples (in particular those relating education, health, language, identity, culture and employment). | |
| | |
| 6.Shell Petroleum Development Company Limited (SPDC) | No information available online |

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| |
| 7. Chevron Exploration and Production Comp |
| <i>We Provide Equal Opportunity</i> |
| |
| Our policy against discrimination aligns with our position on diversity. The Company follows the laws that prohibit discrimination in employment practices, wherever we do business. It is Chevron's policy to provide equal employment opportunities and to treat applicants and employees without illegal bias. It is our policy that no one at Chevron should ever be subject |
| to discrimination on the basis of: |
| •• race |
| •• religion |
| •• color |
| •• national origin |
| •• age |
| •• sex |
| •• gender identity |
| •• disability |
| •• veteran status |
| •• political preference |
| •• sexual orientation |
| •• genetic information |
| In the United States, discrimination is prohibited in hiring, rate of pay, promotion, demotion, transfer, layoff or termination. Many other countries have similar anti-discrimination laws. |
| |
| 8. TOTAL (Nigeria) Exploration and Production Company |
| Employment is very often the key concern for our host regions, and we share this priority. That is why we endeavour to do our part to create jobs and stimulate the economic base in all host |

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| countries. We also strive to continually expand the local content of our activities and operations. |
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| 9. Mobil Producing Nigeria Unlimited |
| <i>Local recruiting</i> |
| ExxonMobil's subsidiaries in Nigeria are Equal Employment Opportunity organizations. |
| Diversity is important to us and we provide a work environment that treats all employees with respect, values diverse perspectives, encourages individual growth and achievement, and rewards people based on their performance. |
| Everything that we do is guided by our commitment to establish and follow the highest technical and business standards in our entire industry. |
| We provide highly competitive compensation and benefits knowing that this represents investment in our people. Our people are our competitive edge! |
| Our detailed recruitment processes are designed to achieve transparency and objectivity in the hiring processes. |
| Please note that at no time will ExxonMobil, or an authorized representative of ExxonMobil, request financial payment of any kind from candidates as part of the ExxonMobil recruitment process. |
| |
| 10. Agip Energy and Natural Resources Nigeria: No information available online |

Sources:

1. Nigerian Petroleum Development Company Limited: N.P.D.C (2014) Corporate Social Responsibility @ [http://npdc.nnpcgroup.com/PublicRelation/Corporate Social Responsibility.aspx](http://npdc.nnpcgroup.com/PublicRelation/CorporateSocialResponsibility.aspx).
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- **Table 4: Ethics codes of conduct in the Niger Delta / relevance in the Niger Delta**

| |
|--|
| 1. Nigerian Petroleum Development Company Limited (NPDC) |
| We constantly seek solutions to address environmental issues that affect our operations, and make efforts to see that new projects are developed in an environmentally compliant manner and that existing operations continue to reduce their environmental impact. |
| <i>Pollution Control</i> |
| Spillages of oil and products pollute the Environment, resulting in product and financial losses, reputational damage and sets people and assets at risk. To reduce the extent of damage whenever spills occur, we are apt in providing pollution control support and services to NNPC operational SBUs corporate-wide, GHSE coordinates the activities of six (6) zonal pollution control centres strategically located nationwide at Atlas Cove, Gombe, Kaduna, Mosimi, Port Harcourt and Warri. The effectiveness of our oil spill preparedness and response is continually accessed and upgraded to maintain relevance and alignment to industry best practices. |
| We take necessary measures to institutionalize controls for all risks, minimize and mitigate the impact of our activities and also ensure all operations are carried out within the strictest safety |

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| standards. |
| In line with our Group Health, Safety and Environment (HSE) Policy Statement, NNPC is committed to conducting its activities in a manner that promotes the Health and Safety of its employees, assets and the public, as well as protection of the environment. |
| <i>Core Values</i> |
| Respect for the Individual |
| Staff development and growth |
| Integrity, transparency and accountability |
| Professional Excellence |
| |
| 2. Dubri Oil Company Limited (DOCL) |
| |
| Our Exploration and Production activities are grounded on the best business practices. We will ensure that all our Stakeholders derive best business practice benefits and satisfaction from the exploration and production business we do. |
| |
| <ul style="list-style-type: none"> • Pursue the goal of no harm to people; |
| <ul style="list-style-type: none"> • Protect the environment; |
| |
| <i>Our Stakeholders are:</i> |
| - Our Shareholders |
| - Our Staff |
| - Government (Federal, State and Local) |
| - Communities |
| - Our Suppliers and Contractors. |
| |
| Includes HSSE & SP performance in the appraisal of staff and rewards accordingly |

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| |
| <p><i>Safety</i></p> <p>Safety is always our first priority. We aim to have zero fatalities and no incidents that harm people, or put our neighbours or facilities at risk.</p> <p>To prevent accidents, we manage safety in a systematic way and are introducing simpler and clearer requirements that are easier for people to understand and follow.</p> |
| |
| <p>Play a leading role in promoting best practice in our industries, respect our neighbours and contribute to the societies in which we operate;</p> |
| |
| <p>3. Pan Ocean Oil Corporation (Nigeria) Limited</p> |
| |
| <p>Integrity upholds the unity of a group; it is the backbone of our efficiency. We are therefore committed to doing business with the best ethics and professionalism. At Pan Ocean, our staff are expected to be of high moral standing. We believe a person's character is ultimately defined by what he does when no one else is around. Pan Ocean prides itself in carrying out its operations and dealings ethically and professionally. Integrity at Pan Ocean is executing all corporate social obligations and goals set out to the business or its neighbouring communities with unshaken uprightness. Those not upholding their responsibility in the work environment corrupt team unity.</p> |
| |
| <p><i>Mission</i></p> |
| |
| <p>To use innovative technologies to maximize employee productivity and improve overall efficiency through team work, driven by strong ethics, safety and environmental activity.</p> |
| |
| <p>4. Oriental Energy Resources</p> |

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| <i>Mission Statement</i> |
| At Oriental, we engage in the exploration and production of hydrocarbons in the Nigerian oil and gas industry. We do this by forming strategic alliances to leverage world class technologies and practices with local knowledge and experience to create an efficient, cost effective, and on-time approach to project implementation. We stress ethical practices and promote corporate responsibility throughout all of our business activities. Oriental does this for the promotion of the Nigerian domestic oil and gas industry and for the betterment of the Nigerian people. |
| Oriental is a staunch supporter of the Nigerian domestic oil industry, adheres to strong ethical EHSS policies and is a considerable contributor to the empowerment of our local host communities. |
| <i>EHSS</i> |
| Design safety controls / loss prevention studies: |
| Key EHSS plans and procedures developed for the Ebok, Okwok and OML 115 |
| FSA - Formal Safety Assessment conducted at the onset of the EBOK Project |
| Conducted Quantitative Risk Assessment (QRA) on 31st July 2010 |
| Conducted HAZOP for entire EBOK Project on 24th to 27th November 2009 |
| HAZID/HAZOP – for MOPU & FSO conducted with DPR in attendance (14th – 15th April 2010) |
| Conducted Fire and Explosion Risk Assessment (FERA), Escape and Evacuation Risk Assessment (21st July 2010) |
| FSO Engineering Safety Review conducted 6 and 21 April 2010 |
| Shallow hazard survey conducted for every Well and submitted to DPR as part of well program |
| British Safety Council Audit Recommendations being closed out |
| Bristow Helicopters and Nigerian Civil Aviation Authority inspection of WFB, MOPU & FSO for Certification |
| |
| 5. Afren Global Energy Resources |

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| Minimise the effects of our activities on the environment and meet the climate change challenge. |
| Conduct all of our business activities fairly. |
| Bribery and corruption prevention |
| Prohibition of forced and child labour from our supply chain |
| Peer group knowledge sharing |
| |
| 6. Shell Petroleum Development Company Limited (SPDC) |
| Working closely with communities where we operate allows us to better share the benefits of our activities and to reduce our environmental impact. When we design a project, we use a systematic approach that includes the steps needed to help reduce the effects on the environment and achieve lasting benefits for local communities. |
| <i>Safety</i> |
| Safety is our top priority. Our goal is to have zero fatalities and no incidents that cause harm to our people and neighbours and put our facilities at risk. |
| |
| 7. Chevron Exploration and Production Company |
| Chevron's Business Conduct and Ethics Code is built on our core values and highlights the principles that guide our business conduct. It provides questions and answers for situations that you might encounter on the job and lists resources for help or further information |
| We strive to operate safely, protect our workers and deal ethically with our stockholders, partners and the public. |
| We believe that preserving a clean, safe, healthy environment can go hand in hand with meeting the world's energy needs. We are continually evaluating and striving to improve our processes to reduce pollution and waste, conserve natural resources, and minimize potential negative environmental impacts of our activities and operations. |
| Among Chevron's core values are these: <i>We meet the highest ethical standards in all business</i> |

dealings. We are honest with others and ourselves. We do what we say we will do. To maintain those values, Chevron holds its workforce to the highest standards of business honesty and integrity and encourages employees to report questionable conduct. We believe in being transparent with and responsive to our stakeholders at all times. And we comply with the letter and the spirit of all applicable laws when conducting Company business.

8. TOTAL (Nigeria) Exploration and Production Company Limited

Company Policy

The TOTAL Group operates according to international standards of Corporate Ethics in the conduct of its business.

Our Codes of Ethics

Our Code of Conduct, which sets out our values and principles, underpins our ethical process

The importance of personal integrity at work can never be overstated. As ambassadors of Total Upstream in Nigeria, each of our employees must maintain a high level of honesty and integrity in all transactions and actions that could in any way reflect on our company.

Our company's good reputation was established and is reinforced everyday by the actions of our staff. This reputation is based largely on the collective and individual actions of our employees: their work performance will often be perceived as either the actions of Total or as reflecting positively or negatively on the company.

9. Mobil Producing Nigeria Unlimited

At ExxonMobil, we are committed to operating with the highest ethical standards,

because we believe that how we obtain results is just as important as the results themselves.

Reliable and affordable energy is essential to human progress. At the same time - like all industrial processes - energy development involves risk. ExxonMobil considers risk at every stage of development, and we continuously work to reduce environmental impacts. Rigorous standards and good practices that consider the needs of the communities where we operate guide our efforts.

10. Agip Energy and Natural Resources Nigeria

Policies

Code of Ethics

Model 231

"Sustainability" policy

"Our people" policy

"The integrity of our operations" policy

Sources:

1. Nigerian Petroleum Development Company Limited: N.P.D.C (2014) Corporate Social Responsibility @ [http://npdc.nnpcgroup.com/PublicRelation/Corporate Social Responsibility.aspx](http://npdc.nnpcgroup.com/PublicRelation/CorporateSocialResponsibility.aspx).
2. Dubri Oil Company Limited: D.O.C.L (2014) Social Responsibility @ <http://www.dubri.com/homepage.htm>.
3. Pan Ocean Oil Corporation (Nigeria) Limited: Panoco (2014 @ <http://www.panoceanoilnigeria.com/>
4. Oriental Energy Resource: O.E.R (2014) Corporate Responsibility @ http://www.orienter.com/corporate_responsibility/
5. Afren Global Energy Resource: AGER (2014) Corporate Responsibility @ http://www.afren.com/corporate_responsibility
6. Shell Petroleum Development Company: S.P.D.C. (2014) Environment and Society @ <http://www.shell.com.ng/environment-society.html>
7. Chevron Exploration and Production Company: C.E.P.C. (2014) Corporate Responsibility @ <http://www.chevron.com/corporate-responsibility/>
8. Total (Nigeria) Exploration and Production Company Limited: T.E.P.C (2014) Corporate Social

Responsibility@http://www.ng.total.com/03_total_nigeria_commitments/0304_corporate_social.htm

9. Mobil Producing Nigeria Unlimited: M.P.N.U (2014) Community and Development @ <http://www.exxonmobil.com.ng/Nigeria-English/PA/community.aspx>

10. Agip Energy and Natural Resources Nigeria: A.E.N.R.N (2014) Sustainability policy, territory and communities, and environment @ http://www.eni.com/en_NG/sustainability/sustainability.html

• **Table 5: Legal policies in the Niger Delta / relevance in the Niger Delta**

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|--|
| 1. Nigerian Petroleum Development Company Limited (NPDC) |
| In compliance with UNEP's partnership for clean fuels and clean vehicles (PCFCV), NNPC in 2011 on the strength of its own resources, embarked on project for the residual Tetraethyl Lead (TEL) disposal, facility decommissioning, decontamination and remediation at all NNPC refineries (WRPC, KRPC and PHRC) to make for a Lead-free environment. This will earn Nigeria the UNEP certification of "Unleaded Gasoline Manufacturing Nation". |
| |
| 2. Dubri Oil Company Limited (DOCL) |
| Has a systematic approach to HSSE & SP management designed to ensure compliance with the law and to achieve continuous performance improvement. |
| |
| 3. Pan Ocean Oil Corporation (Nigeria) Limited |
| |
| 4. Oriental Energy Resources |
| |
| 5. Afren Global Energy Resources |
| <ul style="list-style-type: none"> We will comply with the relevant local and national regulations, frameworks, guidelines |

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| and best practice at all times. |
| <ul style="list-style-type: none"> • Adherence to national and international law |
| <ul style="list-style-type: none"> • We support the principles contained within the UN Declaration on the Rights of Indigenous Peoples (in particular those relating education, health, language, identity, culture and employment). |
| |
| 6. Shell Petroleum Development Company Limited (SPDC) |
| At each review stage, we also take into account regulatory requirements as well as the technical and commercial challenges involved. We capture the goals we set in the impact assessments in a management plan. We put this plan into practice and monitor progress through the life cycle of the project. |
| |
| 7. Chevron Exploration and Production Company |
| |
| <i>Complying With International Trade Laws</i> |
| |
| Laws that apply to Chevron operations outside the United States include the local laws of countries where our operations occur, as well as certain U.S. laws that govern international operations of U.S. companies and U.S. persons. Many countries have laws that restrict or otherwise require licensing for the export and/or import of certain goods and services to other countries and to certain parties. Countries may also impose various kinds of trade sanctions or embargoes against other countries or persons. The scope of these trade sanctions or trade |
| embargoes may vary widely from country to country. They may range from specific prohibitions on trade in a specific commodity to a total prohibition of all commercial transactions. Due to the complexities of the legal requirements under many of these international trade laws, we must seek guidance from Chevron's legal counsel before exporting |

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| or importing goods or services or engaging in transactions that might be affected by trade sanctions. Many other countries have similar anti-discrimination laws. |
| |
| Lobbying |
| Chevron has a right and responsibility to advocate positions on proposed policies that will affect the company's ability to meet the growing demand for energy. We lobby ethically, constructively and in a bipartisan manner through direct communication with public officials. We also encourage our employees, retirees and others to communicate with officials when permitted by law. We comply with all registration and reporting regulations related to our lobbying activities. |
| |
| 8. TOTAL (Nigeria) Exploration and Production Company Limited |
| The Code formally recognizes our commitment to uphold the principles of the 1947 Universal Declaration of Human Rights, the International Labour Organization, in particular those concerning child labour, and the OECD Guidelines for Multinational Enterprises. |
| |
| 9. Mobil Producing Nigeria Unlimited |
| |
| <i>Community Impacts and Relationships</i> |
| Through effective communication and consultation, ExxonMobil seeks to establish and maintain community relationships while actively promoting respect for human rights. |
| We address socioeconomic issues by adhering to corporate policies and expectations, complying with host-country regulatory requirements, applying universally recognized principles, engaging with external groups and building local economic capacity. |
| |
| 10. Agip Energy and Natural Resources Nigeria |

• **Table 6: Human rights in the Niger Delta / relevance in the Niger Delta**

| | |
|---|--|
| | |
| 1.Nigerian Petroleum Development Company Limited | No information available online |
| 2.Dubri Oil Company Limited | No information available online |
| 3. Pan Ocean Oil Corporation | No information available online |
| 4. Oriental Energy Resources | No information available online |
| 5. Afren Global Energy Resources | No information available online |
| <ul style="list-style-type: none"> We support the stipulations contained within the UN Universal Declaration of Human Rights. We endeavour to ensure that this commitment extends to our supply chain and our contractors. | |
| 6.Shell Petroleum Development Company Limited | No information available online |
| 7. Chevron Exploration and Production Company | |
| Chevron's support for universal human rights is a core value in the Chevron way | |
| Chevron's respect for human rights is clear and unwavering. It is rooted in our values and applies wherever we do business. | |
| We believe that although governments have the primary duty to protect and ensure fulfillment of human rights, we have a responsibility to respect human rights and can play a positive role in the communities where we operate. As stated in The Chevron Way, our company's values stress that: "We respect the law, support universal human rights, protect the environment and benefit the communities where we work." | |
| Chevron's Human Rights Policy reaffirms our long-standing support for universal human rights. We condemn human rights abuses. This commitment is encompassed in <i>The Chevron Way</i> vision and values and other corporate policies that ensure we operate safely, responsibly, and in | |

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| compliance with applicable laws and regulations. Chevron’s position on human rights is clearly laid out in our Human Rights Policy. |
| |
| <i>Our Commitment</i> |
| |
| Chevron’s Human Rights Policy 520 states that “We conduct our global operations consistent with the spirit and intent of the <i>United Nations Universal Declaration of Human Rights</i> .” This means that our policies and practices address four areas: |
| |
| •• Employees: We treat our employees with dignity and respect and promote diversity in the workplace. |
| |
| •• Security: We protect personnel and assets in a manner consistent with Chevron’s participation in the Voluntary Principles on Security and Human Rights, a global initiative that provides guidance on companies’ engagement with security forces. |
| |
| •• Communities: We engage with communities to build upon our understanding of potential human rights issues in order to enhance the benefits of our projects and operations and manage potential impacts |
| |
| •• Suppliers: We encourage our suppliers to treat their employees, and to interact with communities in a manner that respects human rights. |
| |
| 8. TOTAL (Nigeria) Exploration and Production Company Limited |
| |
| The Code formally recognizes our commitment to uphold the principles of the 1947 Universal Declaration of Human Rights, the International Labour Organization, in particular those |

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| concerning child labour, and the OECD Guidelines for Multinational Enterprises. |
| |
| 9. Mobil Producing Nigeria Unlimited |
| Security and respect for human rights can and should be compatible. ExxonMobil is committed to ensuring the security of company personnel and operations in a manner that respects human rights and fundamental freedoms. |
| |
| 10. Agip Energy and Natural Resources Nigeria |
| <i>A Commitment to Human Rights</i> |
| Eni is committed to respecting human rights in all areas of operations and in the Countries in which it operates. |
| This effort brought in 2007 to the adoption of the Guidelines on Human Rights, which define the standards that Eni's people must follow for the protection and promotion of human rights in the conduct of business activities. |

Sources:

1. Nigerian Petroleum Development Company Limited: N.P.D.C (2014) Corporate Social Responsibility @ <http://npdc.nnpcgroup.com/Public Relation/Corporate Social Responsibility.aspx>.
2. Dubri Oil Company Limited: D.O.C.L (2014) Social Responsibility @ <http://www.dubri.com/homepage.htm>.
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9. Mobil Producing Nigeria Unlimited: M.P.N.U (2014) Community and Development @ <http://www.exxonmobil.com.ng/Nigeria-English/PA/community.aspx>

10. Agip Energy and Natural Resources Nigeria: A.E.N.R.N (2014) Sustainability policy, territory and communities, and environment @ http://www.eni.com/en_NG/sustainability/sustainability.html

• **Table 7: Ruggie's (2010/2011) frameworks in the Niger Delta / relevance in the Niger Delta**

| | |
|--|--|
| | |
| 1. Nigerian Petroleum Development Company Limited (NPDC) | No information available online |
| | |
| 2. Dubri Oil Company Limited (DOCL) | No information available online |
| | |
| 3. Pan Ocean Oil Corporation | No information available online |
| | |
| 4. Oriental Energy Resources | No information available online |
| | |
| | |
| 5. Afren Global Energy Resources | No information available online |

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| 6. Shell Petroleum Development Company Limited | No information available online |
| | |
| 7. Chevron Exploration and Production Company | No information available online |
| | |
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| 8. TOTAL (Nigeria) Exploration and Production Company Limited No information available online | |
| | |
| 9. Mobil Producing Nigeria Limited | No information available online |
| | |
| 10. E. Agip Energy and Natural Resources Nigeria | |
| A Commitment to Human Rights | |
| Eni is committed to respecting human rights in all areas of operations and in the Countries in which it operates. | |
| The intensification of efforts in this direction is also a collective response to an increased sensitivity to the commitment of the private sector to respect human rights, as evidenced by the United Nations Guiding Principles on Business and Human Rights , the EU Communication on CSR, the issuing by the EU of the Oil and Gas Sector Guide on Implementing the UN Guiding Principles on Business and Human Rights and the Global Compact . | |
| <p><i>The approval of the Guiding Principles in 2011, in particular, represents an unprecedented achievement, since it marks an important point of convergence between Countries, businesses, civil society and international organizations, concerning the responsibilities of States and business with regard to human rights.</i></p> <p>Eni has been developing processes and tools in order to implement international human rights standard and, in particular, the requirement of due diligence outlined in the Guiding Principles, including them in the work indications provided to its employees and monitoring compliance.</p> | |

Alongside the overall management system, intervention strategies have been developed that target the professional areas most relevant to the respect for human rights: working conditions; the supply chain; indigenous peoples; security.

Sources:

1. Nigerian Petroleum Development Company Limited: N.P.D.C (2014) Corporate Social Responsibility @ [http://npdc.nnpcgroup.com/PublicRelation/Corporate Social Responsibility.aspx](http://npdc.nnpcgroup.com/PublicRelation/CorporateSocialResponsibility.aspx).
2. Dubri Oil Company Limited: D.O.C.L (2014) Social Responsibility @ <http://www.dubri.com/homepage.htm>.
3. Pan Ocean Oil Corporation (Nigeria) Limited: Panoco (2014 @ <http://www.panoceanoilnigeria.com/>
4. Oriental Energy Resource: O.E.R (2014) Corporate Responsibility @ http://www.orienter.com/corporate_responsibility/
5. Afren Global Resource: AGR (2014) Corporate Responsibility @ http://www.afren.com/corporate_responsibility
6. Shell Petroleum Development Company: S.P.D.C. (2014) Environment and Society @ <http://www.shell.com.ng/environment-society.html>
7. Chevron Exploration and Production Company: C.E.P.C. (2014) Corporate Responsibility @ <http://www.chevron.com/corporate-responsibility/>
8. Total (Nigeria) Exploration and Production Company Limited: T.E.P.C (2014) Corporate Social Responsibility@http://www.ng.total.com/03_total_nigeria_commitments/0304_corporate_social.htm
9. Mobil Producing Nigeria Unlimited: M.P.N.U (2014) Community and Development @ <http://www.exxonmobil.com.ng/Nigeria-English/PA/community.aspx>
10. Agip Energy and Natural Resources Nigeria: A.E.N.R.N (2014) Sustainability policy, territory and communities, and environment @ http://www.eni.com/en_NG/sustainability/sustainability.html

• **Table 8: Corporate citizenship policies in the Niger Delta / relevance in the Niger Delta**

| |
|---|
| 1. Nigerian Petroleum Development Company Limited (NPDC) |
| One of the Nigerian Government's aspirations for the oil and gas is to bring reform, which will require structural and legislative changes, to and relevance of sustainable community development projects in the oil producing communities such as this cannot be under estimated. |
| The NNPC, as a responsible Corporate citizen engages in sustainable community development in joint venture partnership with the International Oil Companies (IOC's) in the oil producing Communities in the Niger Delta. The objective of this engagement is to impact positively on the lives of the people and the environment in which we operate. In the seven (7) oil producing communities under review the two International Oil Companies (IOCs) operating in those areas are: Shell Petroleum Development Company (SPDC) and Nigerian Agip Oil Company (NAOC). SPDC operates in Gbaran- Ubie, Obigbo North, Utorogu, Afam / Okoloma and Oben communities (The oilfield was relinquished to Seplat Petroleum Development Company in August 2010), while NAOC operates in Obiafu – Obrikom and Kwale communities respectively. |
| |
| 2. Dubri Oil Company Limited (DOCL) |
| <p>Provision of Water Through bore hole</p> <ul style="list-style-type: none"> • Provision of electricity • Building health care centers • Building of town halls • Provision of year end gifts |
| |
| 3. Pan Ocean Oil Corporation (Nigeria) Limited |
| <i>We have also constructed several kilometers of access roads, provided potable water schemes and constructed and equipped a clinic (Ovade Clinic) for our host communities. In education,</i> |

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| <i>classroom blocks have been constructed and science labs furnished and equipped with standard equipment. Pan Ocean also supports the local culture of the indigenes by constructing various town halls and actively participating in their various cultural festivals.</i> |
| |
| 4. Oriental Energy Resources |
| <i>Fast Facts</i> |
| 60 Community youths trained in vocational programs. |
| 79 Educational scholarships awarded. |
| 500 Community women trained in financial literacy. |
| 168 Jobs created |
| |
| 5. Afren Global Energy Resources |
| Our activities focus on health, education and employment and are conducted in partnership with local people, NGOs, local and national government, industry partners and other key stakeholders. |
| 6. Shell Petroleum Development Company Limited (SPDC) |
| <i>Scholarships and Education Programmes</i> |
| Shell's support for educational development involves assisting host communities to provide sustainable and qualitative education that ultimately reaches all the people. This involves active consultation at all stages of development planning, implementation and evaluation, with all stakeholders. |
| <i>Empowering Niger Delta Youths</i> |
| At Shell, we recognise that the youths of the Niger Delta are the promise of tomorrow. They represent the collective dreams of a stable and prosperous society where commerce and industry thrive, and people develop their fullest potentials in peace and security. |
| <i>Youth Skills Development</i> |
| Our intervention strategy for developing youths in our host communities is aimed primarily at |

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| equipping the youths with appropriate skills necessary for creating employment opportunities and places emphasis on self-reliance and entrepreneurship. |
| 7. Chevron Exploration and Production Company |
| <i>Community</i> |
| Chevron contributes to the economic and social well-being of people in the countries where we operate because we recognize the deep interdependence of healthy businesses and healthy societies. Wherever we are, we strive to be a good neighbour, sharing the concerns of our communities and dedicating our capabilities, resources and people to creating a better future. |
| Economic Development |
| We invest in improving the quality of life for our employees and neighbours by growing local economies, creating jobs, supporting small businesses, and promoting economic empowerment for women. |
| Health |
| Because healthy people can create healthy societies, we work to improve access to preventive care and to strengthen health care systems. |
| Education |
| We are committed to improving access to quality education, a critical element in the development of communities. We help train teachers and support science, technology, engineering and math education. |
| 8. TOTAL (Nigeria) Exploration and Production Company Limited |
| <i>Scholarships</i> |
| The scholarships awarded by Total E&P Nigeria Limited (TEPNG), a subsidiary of the TOTAL Group, aims to enhance access to education, promote academic |

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| <p>excellence and improve manpower development.</p> <p><i>Our scholarships are categorized into two:</i></p> <p>Community Scholarship Scheme; for members of our operational areas.</p> <p>National Merit Scholarship Scheme; for deserving Nigerian students studying in Nigerian universities for their first degree programme in Engineering, Sciences, Law, Accounting, Economics and Banking & Finance.</p> <p>Post Graduate Scholarship Scheme.</p> |
| |
| 9. Mobil Producing Nigeria Unlimited |
| <i>Community and Development</i> |
| In Nigeria, as in any other place where we do business, ExxonMobil strives to be a good corporate citizen and supports education and community activities. |
| |
| 10. Agip Energy and Natural Resources Nigeria |
| Positive trend, growing since 2010, in investments in the African continent: in 2012 about €28 million was spent, over €23 million of which was in Sub-Saharan Africa . More than 32 thousand suppliers worked for eni worldwide, of which 20% were in the African continent. |
| <i>Spending for the Territory</i> |
| In addition to Community Investment (which is included in the agreements signed between Eni and the Governments), Eni supports short term investments, donations and sponsorships selected on the basis of definite criteria, among which their value for the local context, compliance with business objectives and, as a common factor, consistency with Sustainability principles. |
| In 2012 the overall cost for the territory amounted to over € 90 million and included investments in favour of local communities, donations, membership fees for associations, sponsorships and contributions to the Fondazione Eni Enrico Mattei. |

Sources:

1. Nigerian Petroleum Development Company Limited: N.P.D.C (2014) Corporate Social Responsibility @ <http://npdc.nnpcgroup.com/Public Relation/Corporate Social Responsibility.aspx>.
2. Dubri Oil Company Limited: D.O.C.L (2014) Social Responsibility @ <http://www.dubri.com/homepage.htm>.
3. Pan Ocean Oil Corporation (Nigeria) Limited: Panoco (2014 @ <http://www.panoceanoilnigeria.com/>
4. Oriental Energy Resource: O.E.R (2014) Corporate Responsibility @ http://www.orienter.com/corporate_responsibility/
5. Afren Global Energy Resource: AGER (2014) Corporate Responsibility @ http://www.afren.com/corporate_responsibility
6. Shell Petroleum Development Company: S.P.D.C. (2014) Environment and Society @ <http://www.shell.com.ng/environment-society.html>
7. Chevron Exploration and Production Company: C.E.P.C. (2014) Corporate Responsibility @ <http://www.chevron.com/corporate-responsibility/>
8. Total (Nigeria) Exploration and Production Company Limited: T.E.P.C (2014) Corporate Social Responsibility @ http://www.ng.total.com/03_total_nigeria_commitments/0304_corporate_social.htm
9. Mobil Producing Nigeria Unlimited: M.P.N.U (2014) Community and Development @ <http://www.exxonmobil.com.ng/Nigeria-English/PA/community.aspx>
10. Agip Energy and Natural Resources Nigeria: A.E.N.R.N (2014) Sustainability policy, territory and communities, and environment @ http://www.eni.com/en_NG/sustainability/sustainability.html

• **Table 9: CSR policies and practice in the Niger Delta / relevance in the Niger Delta**

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|---|
| 1. Nigerian Petroleum Development Company Limited (NPDC) |
| |
| <i>Social Responsibility</i> |
| What are the aims of Community Development Assistance: Meeting the primary need of the host Community. The broad aims of NPDC's community development programme are to: |
| Improve the well-being of members of the community especially, the family units. |
| Decrease poverty levels in host communities |
| Enhance the productive and income generating capacities of community members |
| |
| <i>Health, Safety and Environment</i> |

In line with our Group Health, Safety and Environment (HSE) Policy Statement, NNPC is committed to conducting its activities in a manner that promotes the Health and Safety of its employees, assets and the public, as well as protection of the environment.

NNPC's Group Health, Safety and Environment Department (GHSED) is mainly responsible for the administration of corporate matters on occupational Health, Safety and Environmental protection. The Department is also responsible for formulation of practical HSE policies and guidelines in line with industry best practice, facilitate timely and comprehensive compliance while maintaining effective service delivery for the protection of staff, assets and the environment. We conduct all HSE activities with utmost degree of competence in accordance with the profession and industry standards for the benefit of the Corporation and the Nation.

GHSE Department has steadily and rapidly evolved over the past few years with the restructuring and change of name in 2010 from 'Environment and Safety' and the upgrade of reporting line from Division to Directorate. The Group HSE policy statement signed by the GMD was also formally launched and deployed at all NNPC locations, and the corporate-wide HSE Management System was developed, is being deployed and implemented. The practice of world class HSE Safety Management Walkthrough and Walkabout methods of engaging Top Management Staff in safety compliance monitoring and enforcement likewise kick started. We recognize that the journey to excellence which we have now embarked upon has no final destination but requires that we constantly seek opportunities, stretch targets and redefine our strategies to ensure continuous improvement in our HSE performance.

In recognition of HSE improvement efforts and initiatives, NNPC received the International Award of 2012 for HSE Most Compliant Organization in Africa at a grand event in October 2012 at Accra, Ghana.

NNPC recognizes that the prosperity of any Organization is intricately linked to its Health and Safety performance and dependent upon responsible Environmental stewardship. At NNPC, the safety of our people, protection of our environment and assets are the main focus. We take proactive measures to prevent occurrence of avoidable emergencies and incidents but where they do happen, we respond timely, learn from the incident and improve our readiness to

achieve total loss control. We ultimately aim to achieve “goal zero” with zero incidents, no-harm-to people and no-harm-to environment in all NNPC operations and facilities.

HSE fits strategically into NNPC’s mandate by working in the best way possible to balance and integrate all aspects of Environment and Safety considerations into all NNPC business objectives and decisions. We ensure strong HSE management and performance in Engineering designs, construction and technology selection, continuous development and training of staff. In this regard, we maintain an effective synergy with all our units for effective coordination and monitoring of all aspects of Safety and Environment in all projects and operations.

Health and Safety

NNPC is committed to providing and maintaining a safe, accident free and healthy work environment. Our comprehensive approach to fire and safety management is risk based through the conduct of risk assessments to guide all management’s decision making. We take necessary measures to institutionalize controls for all risks, minimize and mitigate the impact of our activities and also ensure all operations are carried out within the strictest safety standards. We focus on overall safety management through proactive inspections and monitoring, improved work processes, process safety and operational excellence initiatives, preventive maintenance, permit to work and fitness to work guidelines and a robust emergency preparedness regime.

NNPC-HSE Management System

In continual demonstration of commitment to responsible HSE management practices in every aspect of our operations, NNPC recently developed, deployed and implemented a comprehensive HSE Management System (HSE-MS) corporate-wide, to modernize the culture and practice of HSE in the Corporation and to enable HSE risks to be mitigated and managed to As Low As Reasonably Practicable (ALARP). The NNPC HSE Management System which is in line with ISO 14001:2004/OHSAS 18001:2007 is living, evolving and auditable to help align NNPC HSE practices to international best standards and place NNPC at par and benchmark with similar world class companies.

The Management System (MS) has been adopted as a framework to guide HSE, support the business performance and drive continuous improvement across NNPC operations for a

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| holistically improved overall business performance, sustainable development, sustained positive corporate image and assurance to all stakeholders of NNPC's corporate social responsibility and sustainable development initiatives. |
| NNPC is committed to the highest Health and Safety standards in touching lives in many positive ways, by reinforcing commitment to pursuing HSE excellence in all our operations. |
| |
| 2. Dubri Oil Company Limited |
| |
| <i>HSSE and Social Performance – standards and manuals</i> |
| Our Commitment and Policy on Health, Safety, Security, the Environment (HSSE) & Social Performance (SP) gives the common value statements and broad goals in these areas. It includes our aim to do no harm to people, to protect the environment and to contribute to the societies where we operate. Our mandatory standards and accompanying manuals support these goals. |
| |
| 3. Pan Ocean Oil Corporation (Nigeria) Limited |
| Over the years, Pan Ocean has made significant progress in the oil and gas industry. Through this transition our interest has matured from core business operations to include issues relating to CSR with the overriding objective to make positive impact in the lives of people that reside in communities where we operate. |
| |
| 4. Oriental Energy Resources |
| <i>Corporate Responsibility</i> |
| Our Community Affairs Vision is “to contribute towards making a significant and lasting impact on wealth creation and sustainable livelihoods in the area of our operation”. |
| <i>Oriental focuses on projects that satisfy the following criteria:</i> |
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| Have impact on several stakeholder groups |

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| Maximize the positive impact over time |
| Create host community ownership |
| Focus on capacity-building initiatives such as training and improved education. |
| |
| 5. Afren Global Energy Resources |
| Corporate responsibility is an important aspect of the way we conduct all of our business activities. Our focus is to: |
| Provide a healthy and safe workplace. |
| Be a first class employer. |
| Contribute positively to our local communities. |
| |
| <i>Our key areas of focus</i> |



6. Shell Petroleum Development Company Limited (SPDC)

Our Strategy

Our strategy seeks to reinforce our position as a leader in the oil and gas industry while helping to meet global energy demand in a responsible way. Safety, environmental and social responsibility are at the heart of our activities.

Social Performance

In addition to taxes and royalties paid, Shell companies in Nigeria also support and finance a wide range of community development initiatives in the Niger Delta to bring benefits to local communities where they operate.

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| <i>Shell in the Community</i> |
| In Nigeria, we are committed to social responsibility. It is embedded in the way we carry out our day-to-day business. We work with local organisations around our operations to be aware of their concerns and to ensure that the benefits of Shell's resources feed through to local communities and businesses. |
| We consider environmental, social and health impact assessments at every review stage of the process as we decide how, or if, we move forward with the project. We often make these assessments available to the public. |
| <i>Sustainable Development in Shell</i> |
| For us, sustainable development means helping to meet the world's growing energy needs in economically, socially and environmentally responsible ways. We embed these aspects in our business decisions. |
| |
| 7. Chevron Exploration and Production Company |
| Chevron's policy is to maintain the safety and health of people and the quality of the environment where we operate. |
| Chevron contributes to the economic and social well-being of people in the countries where we operate because we recognize the deep interdependence of healthy businesses and healthy societies. Wherever we are, we strive to be a good neighbour, sharing the concerns of our communities and dedicating our capabilities, resources and people to creating a better future. We have invested more than \$1 billion since 2006 to fund initiatives that foster economic stability and improve the quality of life in communities around the world. |
| <i>Health</i> |
| Because healthy people can create healthy societies, we work to improve access to preventive care and to strengthen health care systems. |

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| <i>Education</i> |
| We are committed to improving access to quality education, a critical element in the development of communities. We help train teachers and support science, technology, engineering and math education. |
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| 8. TOTAL (Nigeria) Exploration and Production Company Limited |
| <p><i>EMBRACING SOCIAL RESPONSIBILITY</i></p> <p>Total is dedicated to setting the standard not only for business and financial performance, but also for compliance with the most demanding standards of corporate social responsibility. Accordingly, we employ a proactive ethical process so that all internal and external stakeholders can adhere to our values.</p> <p>Diverse as the identities and cultures within Total may be, all of the people within our Group are encouraged to share our core values:</p> <p>Professionalism</p> <p>Respect for employees</p> <p>Continuous concern for safety and environmental protection</p> <p>Contributions to the development of host communities</p> <p><i>Our Values put into Practice: Sustainable Development</i></p> <p>Our approach to sustainable development is focused on a number of areas, including Safety, Environment, Energy and Efficiency, Community Relations.</p> <p>Our faith in the Nigerian nation remains as solid today as it was over 40 years ago, when our first exploration well (OB1) discovered one of the country's largest onshore fields, the oil mining lease (OML 58) in Rivers State, that is still producing oil & gas for the economic development of the country.</p> <p>Total Upstream has come to stay in Nigeria because of our faith in the future of the</p> |

country. Consequently, in addition to exploration, development and production of oil and gas, we have also taken on another important responsibility: sustainable development of the nation and our host communities in particular, a core value common to the Total Group worldwide.

This initiative underscores our undivided belief and commitment to the wellbeing of our neighbours. Over the years, we have pursued this fundamental goal in cooperation with our joint venture partner - the Nigerian National Petroleum Corporation (NNPC), whose tremendous encouragement and support is an asset to our various programmes and activities. With the continued support of the NNPC, the cooperation of the state and local governments, and understanding of the communities, Elf Petroleum Nigeria Limited, will continue its active role as a major player in the nation's economy. As we do this, we will continue to touch lives and contribute positively to achieve sustainable development of the nation beginning with our host communities.

9. Mobil Producing Nigeria Unlimited

Capacity Development Initiative

Our approach to community engagement focuses on building and developing local capacity across Nigeria, especially around the places where we do business. We are focused on making and sustaining gains in all our socio-economic investments to ensure continued growth within our neighbouring communities, because thriving communities are integral to our long term business success.

10. Agip Energy and Natural Resources Nigeria

Eni's Approach to Sustainability

Being sustainable means creating value for stakeholders and using resources in such a way as to avoid compromising the needs of future generations.

Eni's approach to sustainability includes:

Human rights

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| Local development |
| Environment |
| Fighting corruption |
| Decent work |

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9. Mobil Producing Nigeria Unlimited: M.P.N.U (2014) Community and Development @ <http://www.exxonmobil.com.ng/Nigeria-English/PA/community.aspx>
10. Agip Energy and Natural Resources Nigeria: A.E.N.R.N (2014) Sustainability policy, territory and communities, and environment @ http://www.eni.com/en_NG/sustainability/sustainability.html

- Table 10: Corporate governance in the Niger Delta / relevance in the Niger Delta**

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| 1. Nigerian Petroleum Development Company Limited (NPDC) |
| <i>Respect for the Individual</i> |
| Integrity, transparency and accountability |
| Good governance and global best practices in the NNPC and others. |
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| 2. Dubri Oil Company Limited (DOCL) |
| <i>Company's Mission</i> |
| <p>Our Exploration and Production activities are grounded on the best business practices, good governance and strong commitment to social and environmental responsibilities for the benefit of humanity.</p> <p>Engages effectively with neighbours and impacted communities;</p> <p>Publicly report on our performance</p> |
| |
| 3. Pan Ocean Oil Corporation (Nigeria) Limited |
| We strive to maintain a healthy balance between our host communities and our operations by treating the communities as an extension of our business; giving the communities a sense of belonging as stakeholders in our business and operations. |
| Pan Ocean is committed to maintaining cordial relationships in its communities of operation. |
| We strive to maintain a healthy balance between our host communities and our operations. |
| <i>Stakeholders' Relations</i> |

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| <p>We harness the power of collaboration with various stakeholders to achieve sustainable development in the communities where we operate. We partner with government, organizations, NGOs and such like, especially those who share in our vision and commitment towards the communities. Pan Ocean participates in various knowledge sharing projects, exhibitions and conferences within the oil and gas industry both home and abroad.</p> | |
| <p>With the right partnership, we hope to embrace key social issues affecting the people by – empowering the people through regular offers of supports, grants and scholarships, to demonstrate how business can improve the opportunities for people in the communities.</p> | |
| | |
| 4. Oriental Energy Resources | No information available online |
| | |
| 5. Afren Global Energy Resources | |
| <i>Corporate Governance</i> | |
| <p>The Listing Rules and the Disclosure and Transparency Rules of the UK Listing Authority require UK-listed Companies to report on the extent to which they comply with the Principles of Good Governance and the Code of Best Practice which are contained in Section 1 of the Combined Code, and explain the reasons for any non-compliance. The Combined Code is available at www.frc.org.uk/corporate/combinedcode.cfm</p> | |
| <p>We are developing targets and metrics to measure and report our performance in line with best practice. We strive to achieve continual performance improvement. We aim to learn from our successes and challenges and conduct regular dialogue with all of our key stakeholders.</p> | |
| <p>We aim to ensure that the widest possible level of local agreement and support is received throughout the duration of our projects.</p> | |
| <p>We aim to improve and maintain the well-being of all our communities through the development of a series of partnership arrangements.</p> | |
| <p>We aim to conduct our relationships sensitively and with mutual respect. We work with our local communities to develop projects that are impactful in the long term</p> | |

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| Transparent and regular communications and reporting |
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| 6. Shell Petroleum Development Company Limited (SPDC) |
| <i>Corporate Governance</i> |
| Corporate governance affects the way we direct our company and the relationship we have with interested parties. We believe that the highest standards of corporate governance are essential to our business integrity and performance |
| Understanding and responding to community hopes and concerns allows us to help develop local economies through jobs and business opportunities from the outset of a project. This also allows us to avoid delays to our projects, so makes good business sense. |
| Through engaging with people during community meetings, and sometimes in their homes, we learn how to help protect their way of life. We also improve our understanding of how to protect the local wildlife and biodiversity they may rely on for subsistence. For example, we have rerouted pipelines and agreed not to operate during certain periods to limit disturbance to communities and wildlife. |
| When planning and developing new projects, or expanding existing facilities, we assess the potential impact on the environment and consider the views of local communities when we make decisions. This helps us to operate in a responsible way, delivering energy and products that contribute to the world's economic progress. |
| <i>GMoU-Agreement</i> |
| In 2006, SPDC introduced a new way of working with communities called the Global Memorandum of Understanding (GMoU), which has continued to be used successfully by other oil companies. |
| A GMoU is an agreement between SPDC and a group (or cluster) of several communities. Clusters are based on local government or clan/historical affinity lines as advised by the relevant state government. |
| The GMoU brings communities together with representatives of state and local governments, |

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| SPDC and non-profit organizations, such as development NGOs, in a decision-making committee called the Cluster Development Board (CDB). |
| Under the terms of the GMoUs, the communities decide the development they want while SPDC on behalf of its joint venture partners and provides secure funding for five years, ensuring that the communities have stable and reliable finances as they undertake the implementation of their community development plans. |
| The GMoUs or agreements represent an important shift in approach, placing emphasis on more transparent and accountable processes, regular communication with the grassroots, sustainability and conflict prevention. |
| |
| 7. Chevron Exploration and Production Company |
| For Chevron, good corporate governance means being transparent with and responsive to stockholders while managing the company for long-term success. We communicate with stockholders through reports, press releases and other formats. We meet frequently with stockholders to discuss governance, financial, environmental, social and policy issues. Stockholders can direct inquiries to the Board of Directors and submit proposals for inclusion in our proxy statement. Since 2000, we have worked with more than 100 stockholder proponents regarding stockholder proposals submitted for inclusion in our proxy statements, resulting in the agreed-upon withdrawal of more than 20 percent of those proposals. During the 2013 proxy season, we received 12 stockholder proposals covering a range of topics, including corporate governance, environmental and social concerns. |
| <i>Chevron's commitment to good governance is seen in many other ways, too.</i> |
| We work with our partners to devise programs that will help improve health, support education and grow local economies. |
| |
| 8. TOTAL(Nigeria) Exploration and Production Company Limited |
| <i>An Enduring Partnership with the Communities</i> |

In keeping with our policy for long-term community development, we are committed to the economic empowerment of Nigeria's people, a key factor toward sustainable development. Through partnerships with non-governmental organisations (NGOs), the Nigerian government at various levels, and of course, with the people in communities themselves, we are participating in laying the groundwork for a better quality of life in Nigeria: for human development, health, infrastructural development and agriculture.

Stimulating and supporting the communities to take responsibility for their own development underlines our philosophy towards sustainable development. In partnership with Nigerian authorities at all levels, Total Upstream supports community-defined, long-term development programmes. In 2003, Total devoted some 17 million dollars to its programme of socio-economic initiatives in Nigeria

In a growing partnership with the United Nations Development Programme (UNDP), we are carrying out participatory rural appraisals driven by focused group discussions for communities in OML 58, where the Group has been active for more than 40 years, some 20 communities have benefited from the construction of roads, schools, hospitals, electrification and water supply, as well as scholarships. The result: a multi-year development plan for all target communities. In both Rivers and Akwa-Ibom States, whose coastal communities is closest to Total's offshore operations, Total has joined forces with ProNatura, a non-governmental organization with significant involvement in the Delta region. Direct beneficiaries of our new development plan are identified via community categories. They include:

Host Communities- communities on whose land the company has been producing oil and gas and has wells and/or oil and gas production facilities, office or housing facilities as well as communities that are on the coastline and which are near our offshore operational facilities. These include, Delta State:(OML 57), Aja-Osolo, Ifi e-kporo,Obodo, Omadino,Orugbo, Uwakenoand Ogunu-WarriRivers State:(OML 8) Akabuka,Amah, Erema, EleleAlimini, Elele-Okinali,Idu, Obagi, Obite, biyebe,Oboburu, Ogboguand Rumuekpe.Port Harcourt: Mgbesiliaruand Rebisi.Lagos State: Etiosa local government area.

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| <p><i>Ethnic Communities</i>- communities which are of the same ethnic nationalities as our host communities, but which have none of our facilities on their land, nor are affected by our offshore operations. Onshore, such communities may lie outside our concession areas. An example is the Egi Ethnic communities(Non-producing); Akabta, Ede, Egita, Ibewa, Itu-Ogba, Obigbor, Obiozimni, Obukegi, Ohalielu and Ukperemini.</p> |
| <p><i>Coastline Communities</i>- Arising from our offshore (near shore and deep offshore) operations, selected communities along the Nigerian coast constitute costal communities. Given the distance of these concessions from shore, and for practical purposes, these communities are considered for developmental purpose through their State Government in the case of Akwa Ibom State or local government areas like Andoni and Opobo/Nkoro. The local government areas considered are those that are either directly on the coastline or those that have tidal rivers within their shores. LGAs are selected on the basis that our offshore operations (including movement of boats) could have a direct impact on their ecological environment. They include: Rivers State: Andoni, Bonny, Khana and Opobo-Nkoro Local Government Areas. Akwa Ibom State: Eastern Obolo, Eket, Esit Eket, Etinan, Ikot Abasi, Ibeno, Ibiono Ibom, Itu, Mbo, Mkpatt Enin, Nsit Ubium, Onna, Okobo, Oron, Oruke-Anam, Udonguko, Ukanafun, Uruan and Urue-Offong Oruko Local Government Areas.</p> |
| <p><i>Pipeline Communities</i> - are communities where our trunk lines pass.</p> |
| |
| <p>9. Mobil Producing Nigeria Unlimited</p> |
| <p><i>Consultation with Stakeholders</i></p> |
| <p>We aim to help develop human, social and economic capacity in a way that benefits people, communities and our business.</p> |
| <p>Achieving this goal requires collaborative partnerships and active consultation with a range of stakeholders. Our <i>Best Practices in External Affairs</i> (BPEA) governs our community awareness programs, government relations and national content development. The BPEA process helps us identify the specific needs, expectations and interests of host communities and align these needs with our community investment efforts.</p> |

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| Through early external stakeholder engagement, we are able to identify community concerns and implement mitigation measures during the project planning phase. By attempting to address these issues up-front, we are able to minimize community concerns throughout the life of the project. |
| Ensuring mutual understanding, trust and respect in our stakeholder relationships means that interested parties are represented as project agreements are established. Once a project starts, we provide local groups and individuals with a communication channel to voice and resolve concerns related to a development project without fear of retribution. |
| Community Engagement and Human Rights |
| Indigenous Peoples |
| ExxonMobil is committed to engaging with indigenous communities in a manner that is respectful of their cultures and customs. |
| |
| 10. Agip Energy and Natural Resources Nigeria |
| <i>Corporate Governance System and Rules</i> |
| <p>The term <i>Corporate Governance</i> refers to the system and rules by which companies are managed and governed.</p> <p>When developing its corporate governance system, integrity and transparency were the key principles on which Eni focused. The system is also structured in accordance with applicable general and specific regulations, as well as with the Company's By-laws and Code of Ethics, and with the recommendations set out in the Corporate Governance Code of Listed Companies which Eni has adopted, as well as internal rules and best practices in this field.</p> |
| <i>Indigenous People</i> |
| <p>Indigenous peoples are holders of specific rights by virtue of their special relations with the territory. In contexts where indigenous peoples are present, specific policies have been adopted. These enshrine Eni's commitment to respect the rights of such peoples and to take into due consideration their expectations in its corporate decisions.</p> |

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| <i>Stakeholders Management</i> |
| Eni is conscious of the importance of relations: they provide opportunities for mutual exchange, growth and enrichment, creating the conditions for continuous dialogue and direct involvement and helping to build consensus and trust, improving decision-making processes and reducing conflicts between different stakeholders. |
| <i>Community Engagement</i> |
| Transparency in Community Relations |
| Eni operates in the territory in Italy and elsewhere by creating relationships that are based on correctness and transparency and continuous dialogue with stakeholders, in order to pursue shared objectives for the creation of value and opportunities for sustainable development. To this end, Eni informs and engages local communities involved in its business activities, promoting dialogue in all phases of operational projects, with the aim of: |
| evaluating expectations regarding new projects, |
| sharing the process of evaluation of impacts on the territory, |
| planning action to mitigate eventual negative impacts, |
| identifying possibilities for the facilitation of local development. |
| <i>Stakeholder Engagement</i> |
| Eni conducts regular surveys designed to incorporate the perception of its stakeholders of its work. For example, surveys conducted among employees for an analysis of the working environments or those involving local populations, opinion leaders or the press to evaluate Eni's reputation and the main drivers that affect it. In addition, the units responsible for managing each category of stakeholders, have adopted methods to facilitate involvement that make use of different types of consultations. |
| <i>Local Communities</i> |
| Advance, free and informed consultation, aimed at considering local needs in relation to new projects, evaluations of impact and development initiatives |
| <i>Cooperation Agreements</i> |

Eni interacts with the countries in which it operates in the awareness that this creates an opportunity to create the basis for synergic collaboration that can enable the Italian company to broaden its experience and for the countries to be able to count on the presence of a big international enterprise to support its sustainable development.

Considering the importance of enhancing the skills of the people and businesses in the territories, alongside the facilitation of the transfer of knowledge and professional skills, the company operates by defining **long-term cooperation agreements** with governments and **joint ventures** with national oil companies. In this way Eni contributes to sustainable local development through the creation of extensive networks with promoters of development and the realisation of initiatives aimed at stimulating the local economic and social fabric.

The realisation of this commitment to acting and creating development opportunities for local populations is done through the signing of a **Memorandum of Understanding (MoU)**, which also involves the players that are not directly involved in the process begun by the company, such as the Italian Ministry of Foreign Affairs and international and local NGOs.

The MoU therefore represents a formal commitment by Eni to take concrete measures, both directly and in conjunction with selected partners, to pursue these objectives. The negotiating strategy of Eni is preliminary to the launch of discussions with a country and/or private partners, and contributes to ensuring that there are clear and transparent parameters on which to base an authentic contract before it is laid out along with the terms that will govern any future partnership.

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APPENDIX E

• Interviews Information Sheets and consent form



Name of Researcher: Abdullahi Nma Ndajiya

Title of Project: Corporate Social Responsibility in Multinational Oil Companies and the Impact on Sustainable Development in the Niger Delta.

INFORMATION SHEET

You are cordially invited to take part in a research study. Before you decide, it is important for you to understand why the research is being undertaken and what it involves. Kindly read the following information carefully and discuss it with others, if you wish. Ask me if there is anything that is not clear or if you would like more information.

This research is a part of my doctoral study for the degree of Doctor of Philosophy (Ph.D.) at the University of Bradford, in the UK. Ethics approval for this research project was given by the Humanities, Social and Health Sciences Research Ethics Panel at the University of Bradford on the 28th March 2013. It is designed to explore the corporate social responsibility (CSR) and sustainable development (SD) by the major multinational oil companies operating in the Niger Delta region. This will include your company's Corporate Social Responsibility and Sustainable Development policies and practices in the Niger Delta. If you agree to participate you will be asked to sign a Consent Form and will be given a copy of this for your records.

Participation will involve taking part in a one-to-one interview conducted by me. In this, I will explore your knowledge as a senior manager of your oil company. It is anticipated that the interviews will last for between 1 to 1½ hours. These will be recorded on an audio recorder.

The main research questions guiding the interviews are:

1. What models of CSR and SD do your oil company implicitly or explicitly use for its operations in the Niger Delta?
2. Do the CSR and SD practiced by your oil company in the Niger Delta, and Africa in general, differ from that followed in other developing economies?

I guarantee that your contributions will be kept strictly anonymous. You will not be identified in any publication or dissemination of the research findings. In addition, the information you provide in the interview will be kept securely with any identifying material, such as your name and any addresses, removed. It is anticipated that the research will be written up as a part of my doctoral thesis. Further reports may also be published at later dates. A summarising report will be made available at the end of the doctoral programme and a copy of this will be sent to you, if you request it

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Management & Law



All information collected during your interview will only be viewed by me, and my supervisors if required, and will remain strictly confidential. The audio recording and transcription of the interview will also be kept securely in a University repository for a period of 10 years after the conclusion of the doctoral programme.

Please note that if you decide to withdraw from the interview at any time, you can do so and without providing any explanation. Furthermore, you can also withdraw your data from the study after participation, up to the time that the data analysis commences. Could we give some idea of how long that might be? 6 months from the interview for instance? Again, you would not be required to provide any explanation.

In case you need any further information about the research please contact me by e-mail, or my research supervisor:

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Many thanks for reading this information sheet and considering taking part in this research



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CONSENT FORM

Name of Researcher: Abdullahi Nma Ndajiya



Title of Project: Corporate Social Responsibility in Multinational Oil Companies and the Impact on Sustainable Development in the Niger Delta

Many thanks for considering being interviewed as part of the research. I would be very grateful if you read through the following questions and indicate your response accordingly. The reason for this is to ensure that you are fully aware of the purpose of the research and that you are willing to take part.

Ethics approval for this project was given by the Humanities, Social and Health Sciences Research Ethics Panel at the University of Bradford on 28th March 2013

1. I have been informed about the purpose of the study and have had the opportunity to ask questions about it if I wished YES/NO ☐
2. I understand that I can withdraw from the study at any stage, without giving a reason and that my data will not be included in the research YES/NO ☐
3. I understand that I am free to choose not to answer a question without giving a reason why YES/NO ☐
4. I have been informed that the interview will be tape-recorded and I give my consent for this recording to be made. YES/NO ☐
5. I understand that extracts from the recording might be used in a publication at a later date. YES/NO ☐
6. I confirm that I have not been involved in a similar study in the past 6 months. YES/NO ☐
7. I understand that if extracts from the recording are used any identifying information about myself and my organisation will be removed and anonymity will be ensured. YES/NO ☐

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I give my consent to take part in the research.

Participant

Signed

NAME IN BLOCK LETTERS

Date

Researcher

Signed

NAME IN BLOCK LETTERS

Date